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ABSTRACT

This report was written to teach the people and children of the Fort Belknap Indian Reservation about their history, tribal government, and its functions. The reservation is populated mainly by members of the Assiniboine and Gros Ventre communities. The report begins with a tribal history starting from the 17th century, when a group of Assiniboine Indians split off from the Yanktonai Sioux and migrated north to Canada. Various characteristics of the reservation, including the people, setting, climate, education, medical facilities, employment, natural resources, and recreation, are described. Also discussed are cultural traditions of both Indian communities and a history of federal acts and treaties covering the "tribal sovereignty" period (1787-1935). A section on Indian education covers relevant federal legislation and names four examples of alternative Indian education programs. Natural resource issues are discussed, including water rights, forestry history, transportation, and farm-irrigation problems. A section on the Bureau of Indian Affairs discusses federal regulations, trust funds, programs, policies, and management. The document contains a complete description of the Fort Belknap Tribal Constitution, tribal court procedure, and the educational philosophy of the Assiniboine and Gros Ventre tribes. A discussion of tribal health services includes descriptions of dental, mental health, pharmacy, and emergency assistance programs. The document also contains maps, a collection of 29 early 20th century photographs, and curriculum materials, including test questions and answers. (TES)

ED324168

Creating a Better Understanding of Tribal Government and History Concerning the Fort Belknap Indian Reservation

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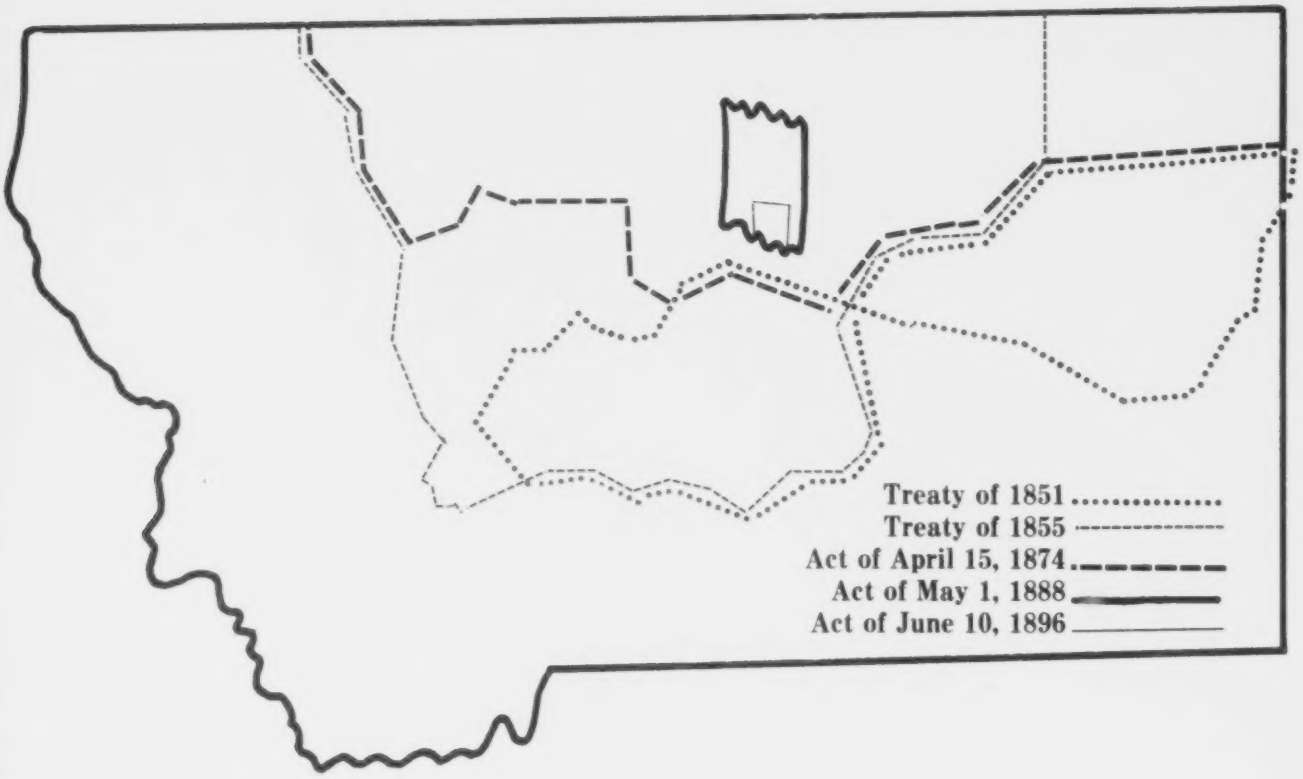

Concerning the Fort Belknap Indian Reservation

THIS BOOK IS DEDICATED TO
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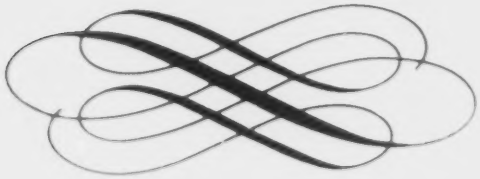
FORT BELKNAP RESERVATION



SEAL OF THE FORT BELKNAP RESERVATION

THE EMBLEM OF THE FORT BELKNAP RESERVATION'S SEAL AS ILLUSTRATED BY THE TRADITIONAL SHIELD SYMBOLIZES THE SHIELD'S PROTECTION OF THE TWO TRIBES, THE GROS VENTRE AND ASSINIBOINE. THE SHIELD ILLUSTRATES THE PROTECTION FOR THE TWO TRIBES FROM THE PAST, PRESENT AND FUTURE LOSS OF TRIBAL CULTURE, TRIBAL IDENTITY AND TRIBAL LAND BASE. INDIVIDUAL AND TRIBAL INTERESTS AND FUTURE DEVELOPMENT WILL ALSO PROSPER AND GROW UNDER THE SHIELD'S PROTECTION.

THE CIRCULAR SHAPE OF THE SHIELD SYMBOLIZES LIFE ITSELF, AS PERCEIVED BY THE INDIAN BELIEF OF THE CONSTANT CYCLE OF LIFE, EACH LIVING THING DEPENDENT ON EACH OTHER FOR LIFE. THE KILLING OF THE BUFFALO ENABLES THE INDIAN TO LIVE AND GROW AND WHEN HIS MORTAL REMAINS RETURN TO THE EARTH, IT SERVES AS FOOD FOR THE GRASSES OF THE PRAIRIE WHICH IN TURN FEEDS THE BUFFALO, THUS ENSURING THE CONSTANT CYCLE OF LIFE.

THE FOUR DIRECTIONS AND THE FOUR SEASONS ARE SYMBOLIZED IN THE USE OF THE FOUR COLORS: RED-SUMMER, YELLOW-FALL, WHITE-WINTER, AND GREEN-SPRING.

SYMBOLIZING THE EXISTENCE OF TWO TRIBES, THE GROS VENTRE AND ASSINIBOINE ON THE RESERVATION WHO FUNCTION AS A WHOLE, IS THE BUFFALO SKULL. THE COLORS DIVIDE IT, YET THE SKULL REMAINS AS ONE. THE SKULL HAS A JAGGED LINE FROM HORN TO HORN REPRESENTING THE MILK RIVER, A MAJOR TRIBUTARY OF THE MISSOURI.

SNAKE BUTTE IS ILLUSTRATED ABOVE THE SKULL. THIS BUTTE IS A WELL KNOWN LANDMARK FOR INDIAN TRIBES THROUGHOUT THE NORTH. THE SPRING, LOCATED ON THE NORTHCENTRAL PART OF THE BUTTE, IS ONE OF THE FEW NATURAL FRESH WATER SPRINGS IN THE AREA.

SNAKE BUTTE IS ALSO THE PLACE TO SEEK OUT VISIONS. MANY TRIED, BUT VERY FEW SUCCEEDED IN ACQUIRING SACRED POWER AT THIS PLACE.

THE TWO ARROWHEADS FACING EACH OTHER EMPHASIZE THE STRONG TRADITIONAL TIES WITH THE PAST.

SEVEN FEATHERS HANG FROM THE SHIELD. THERE IS A FEATHER FOR EVERY TWO OF THE TWELVE COUNCIL MEMBERS REPRESENTING THE RESERVATION'S THREE DISTRICTS AND THE CENTER FEATHER REPRESENTING THE TRIBAL CHAIRMAN.

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PREFACE

In the pursuit to further the education of the children and people of the Fort Belknap Reservation, it is necessary for this book to be put into the public schools. Through the staff's research, it was found that many of the young people on this reservation do not know the history, government, or functions of their reservation. We feel it is of the utmost importance for the young to understand their reservation. With understanding, they will be able to use the reservation to their advantage, and further their own lives.

This book's main function is understanding. It covers everything from the early tribal history to the present involvement of the Tribal Council and the Bureau of Indian Affairs.

This staff has tried to simplify the technical language for all to understand. In the most part, we received all of our information from U.S. Congressional or B.I.S. legal documents. From this material alone, we decided this project needed to be done, since very few people can read, let alone understand, legal documents.

Overall, this text should allow the people of this reservation to see how the system here works. They have learned in the past how the U.S. Government functions; now they can compare the two systems, and understand how both their tribal and national lands work.

THE IROQUOIS CONFEDERATION

The Iroquois Confederation was believed to have been organized around 1570 by a Huron Indian named DEGANAWIDAH and his Mohawk disciple named Hiawatha. The Confederation first included five tribes: the Mohawks, Oneidas, Ononadagas, Cayugas, and the Senecas. These tribes ranged in the New York area between Lake Champlain and the Genesee River. The main reason behind the organization of the Iroquois Confederation was to end bloodshed and wars of revenge that were happening among the tribes of the five Nations. Another reason for establishing the Confederation was to bring about a universal peace among all Indians, based on the reasons of brotherhood and equality.

The Union of the Iroquois Confederation rested mostly on Iroquois political life, in which the women held a special and important position. The Union of the Tribe first began with the group called the "fireside," which consisted of the mother and all her children. The fireside was then part of a larger group of related families whose relationships also were traced to the mothers. These larger groups then formed clans that made up the Iroquois Confederation.

Most of the authority came from the groups of related families and the women who headed them. These women then appointed male delegates and deputies who represented the clans, and fifty peace chiefs who made up the ruling council of the Five Nations. The peace officers held office until their deaths. The Confederation also consisted of a governing body made up of chiefs who had achieved fame, and warriors who possessed some other special quality. These chiefs could speak in meetings of the leagues, and could be considered to be the second body in any deliberations they made.

The Confederations usually met at least once a year, but were required by Confederation law to meet at least once every five years at the principal town of Ononadagas. The Council of the Confederation usually did not interfere in the internal matters of the tribe, and very rarely was able to unite the Tribes against a common enemy. But it provided the members of the different tribes with the feeling of unity, and it established agreements that ended blood feuds and serious conflicts among them.

The Confederation, despite its high ideals, was almost constantly at war with other Iroquoian peoples, or with the Algonquins. Legend says that the first wars were attempts to persuade outside nations to adopt the DEGANAWIDAH-HIAWATHA CODE. More often, they were simply raids for glory and for prisoners, some of whom were adopted into the tribe that captured them, and some of whom were tortured.

With the arrival of the Europeans, the Five Nations became involved in fur trade rivalries among the French, Dutch, and English. Usually they were allied with the English, and fought not only the French, but also the tribes that were supplying the French with furs. In a series of savage wars, they virtually destroyed other Algonquin tribes, and sent survivors fleeing westward in panic. The Five Nations adopted some of the remnants of these lands and tribes into their own villages, and later gave sanctuary to refugee Algonquin people who fled inland from European settlement on the Atlantic coast. It was about the year 1715 that the TUSCARORAS, driven out of their own southern homeland by English colonists, went north and joined the Confederation, which thereafter became known as the Six Nations.

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* Information taken from Encyclopedia Britannica, Vol. 12, 1959, p. 684.

INDIAN SOVEREIGNTY

Sovereignty has always been a major issue with the Indian people. since the independence of the United States, policies concerning Indian sovereignty were always coming up. The first time was in the year 1830, when Congress passed the Indian Removal Act. This Act was to be one of the many that would try to take the right of self-government from the Indian people. This Act led to the moving of the Indians to reservations. The Indian people gave up much of their lands in exchange for the United States' guarantee of their sovereignty over the lands reserved for the tribes, and in exchange for the provisions of various services, such as education and health services, by the United States.

As tribe after tribe went down in power struggles with the white man, the United States began to assume authority to involve itself in tribal affairs. After the United States government entered the scene, a lot of litigation happened to the Indian people. Some were good, and some were bad — things such as the Major Crimes Act, the Dawes Act, the Indian Reorganization Act, the Johnson O'Malley Act, the Indian Claims Commission, the Relocation Policy, the Termination Act, Public Law 280, and finally, the Indian Civil Rights Act. All of these, to some extent, caused the Indian people as a whole to lose some of their rights as a sovereign nation. Even the Indian Civil Rights Act of 1968 caused some limitation of tribal sovereignty. The Act protected individual Indians from their own tribal governments, but in the process put potentially serious limitations on tribal sovereignty. The Act stated that tribal governments must provide many of the same individual protections provided by the United States government's Constitution. Following the passing of this Act, people were predicting a lot of intervention by the federal courts into tribal affairs. This eventually became true, because with the establishment of federally funded legal service offices on the reservation, many of the cases challenged the procedures of tribal courts, the actions of tribal police, tribal election practices, tribal refusal to enroll certain individuals as members, tribal discrimination against certain religions, and other tribal policies.

Before the Act, the federal courts usually refused to hear such defiances of tribal sovereignty. But in certain cases, such as one on the Fort Belknap Reservation in the case of Colliflower vs. Garland, the federal courts found it in the best interest to override the tribal courts.

Since the white man first came, many changes have come about concerning Indian sovereignty. We hope that in the future the concept of Indian sovereignty will remain a vital issue in our future policies. This can only be possible if the Indian people protect the sovereignty cause from those who seek to pass laws to end Indian Sovereignty.

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* Information for some of the material used was taken from the booklet "The Sovereignty of American Indian Tribes," by George Grossman.

FORT BELKNAP RESERVATION

Today the descendants of two distinct tribes, the Assiniboine and the Gros Ventre Indians, make their home on the Fort Belknap Indian Reservation. It has been noted by historians that the Gros Ventre Indians were living in present-day Montana when the first white men entered the region.

HISTORICAL BACKGROUND

Both the Gros Ventre and the Assiniboine were originally plains tribes; but the Gros Ventre were of Algonquin stock, closely related to the Arapahoe, whereas the Assiniboine once were part of the Yanktonai Sioux.

The name Gros Ventre, interpreted as "big belly," was given by early French traders to two separate tribes — the Atsina (Gros Ventre of the Prairie), and the Hidatsa (Gros Ventre of the Missouri). It seemed necessary, when taking the 1930 census, to separate the two Gros Ventre groups on a geographical basis: those living in Montana were disignated Atsina, and those living in the Dakotas were called the Hidatsa.

The Assiniboine (from the Chippewa, meaning "one who cooks by use of stone") Tribe is a detachment from the fragment of the Yanktonai Sioux Tribe. They left their mother tribe shortly before 1640. This band of Assiniboine Indians followed the Cree northward from the headwaters of the Mississippi between Lake Superior and Hudson Bay. It is believed they settled first in the vicinity of the Lake of the Woods, then drifted northwest to the region around Lake Winnipeg. They ranged in Canada and along the Milk River. Until 1838, they were estimated to be a large tribe of from 1,000 to 1,200 lodges. Subsequently, small pox reduced them to less than 400 lodges; and conflicts with neighboring hostile tribes further diminished their total number to around 2,400 by the year 1800.

The Blackfeet Hunting Territory, which was set aside by the Treaty of 1855, was shared by both the Gros Ventre and the Assiniboine Indians. This treaty granted hunting grounds, with defined boundaries, for the tribes of the Blackfeet, Blood, Crow, and Piegan as well. The boundaries roughly extended from the Yellowstone River north to the United States-Canadian border, and from the Rocky Mountains of western Montana to the junction of the Yellowstone and Missouri Rivers. This area was to be used in common by Indians receiving rations at Fort Browning, Milk River, and Fort Belknap for a period of 99 years. These lands were reduced in size in 1873. Consequently, three separate reservations — the Blackfeet, the Fort Belknap, and the Fort Peck Reservations — were established by the Act of May 1, 1888.

One of the first trading posts was established near the present town of Dodson in 1868. A year later the new post, Fort Belknap, was established on the south side of the Milk River, about one mile southwest from the present townsite of Chinook. The Fort, named for William W. Belknap, who was the Secretary of War at that time, was a sub-station fort combined with a trading post; and it became the government agency for the Gros Ventre and Assiniboine Indians living in the area.

Originally the Fort Belknap Reservation was in Choteau County. After the establishment of Blaine and Hill Counties, and the selection of their county seats, the Fort Belknap Reservation fell into Blaine and Phillips Counties.

Later in the early 1880's, the Fort Belknap Agency was moved from Chinook to its present site five miles east of Harlem on the northwest corner of the Reservation. In 1921, the U.S. Government allotted 539,065 acres to the 1,171 Indians who were then enrolled on the Fort Belknap Reservation. Thereafter, settlement of non-Indians took place much more rapidly, and did so partly in response to the availability of land for cattle and sheep ranching.

In 1888, completion of the Great Northern Railroad helped in the expansion of the livestock industry. Malta became a major shipping yard for cattle and sheep. It was about this same time that gold was discovered in the Little Rocky Mountains, bringing more people to Montana. Because of the variety of people attracted to the area by the gold discovery, the towns of Landusky and Zortman became famous as the "two toughest towns in the territory."

The discovery of gold brought with it another problem for the Fort Belknap Indians. Mining claims appeared throughout the area of the Little Rocky Mountains, apparently in disregard of the fact that it was Indian reservation land. After the United States Government appointed a commission to negotiate with the Fort Belknap Indians for surrender of the Little Rockies, an agreement was signed in 1896 which ceded a portion of the Fort Belknap Reservation back to the United States.

In 1969, the Fort Belknap Community Council began proceedings to recover that portion of the Little Rocky Mountains ceded by the Act of June, 1896, and thus restore the reservation's boundaries described in the Act of May 1, 1888.

ORGANIZATIONAL STRUCTURE OF THE FORT BELKNAP INDIAN TRIBE

The Fort Belknap Indian Community was organized in 1935 under the Wheeler-Howard Act, and its constitution and by-laws were approved on December 13 of that year. A corporate charter was ratified August 25, 1937. In 1974, the Fort Belknap Community Council modified the constitution to elect a membership of 12 councilmen to the Tribal Council on a staggered basis every two years. The Constitution states that the Fort Belknap Indian Community Council shall have six Gros Ventre and six Assiniboine members. Every two years, six new members (three Gros Ventre and three Assiniboine) are elected to serve on the Council with the six carry-overs from the previous two years. The Tribal Council then chooses its own officers.

THE PEOPLE OF THE FORT BELKNAP INDIAN RESERVATION

In 1937 the enrollment of the Fort Belknap Indian Community was about 1,487. In January of 1973, it was estimated that 4,065 individual Indians were enrolled or eligible for enrollment. Today's enrollment is at 3,854 members.

Of the present total tribal membership, about 1,797 members still live on or near the reservation during most of the year. There are also Indians from other tribes, mostly Chippewa and Cree, living on the reservation, although they have no interests in the tribal assets.

Over the years, the resident Indian population has been decreasing. Some of the reservation's population decline is due to the rural-urban shift of families; but a larger proportion of the decline is a result of the young people seeking off-reservation employment, and off-reservation opportunities for higher educational pursuits.

Many of the Fort Belknap Indians live in Harlem, a town located north just off the reservation. The Fort Belknap Agency is also a major Indian community on the reservation. Nearly 75 percent of the Indian residents live in the southern section of the reservation in the communities of Hays, Lodge Pole, and Beaver Creek. The area between the Milk River and the Little Rockies is grazing land. Few people live in this region.

For many generations, members of both the Gros Ventre and Assiniboine Tribes have intermarried with whites. English is the language of common usage, possibly because the two tribes are of different linguistic families. It is not uncommon today, however, to hear members of both tribes speaking in their native languages.

Kinship has been the basic structural foundation of the social behavior of the Gros Ventre and Assiniboine Indians. Warfare was another dominant characteristic of the cultures of these tribes; and values such as bravery, honesty, horsemanship, and generosity were constantly reinforced in the socialization of the children down through the generations.

RESERVATION SETTING

The Fort Belknap Indian Reservation is located in north central Montana, south of the Milk River, within Phillips and Blaine Counties. The reservation's boundaries contain an area of approximately 651,119 acres. In addition, there are 28,731 acres of tribal land outside the reservation's boundaries. Nearly 82 percent of the total reservation area is found in Blaine County, with the remaining 19 percent located along the western edge of Phillips County.

Most of the northern portion of the reservation consists of flat glacial plains and alluvial bottom lands. The southern portion of the reservation drains into the Missouri River, and consists of rolling grasslands, river "breaks," and two principal mountain ranges (the Bearpaws and the Little Rocky Mountains). These mountains reach an elevation of approximately 6,000 feet.

The north-to-south boundary of the reservation extends 40 miles in length. The width is approximately 26 miles. The area's small scattered communities are mainly made up of small family-sized farm units.

CLIMATE

The reservation's climate, as is that of the whole of north central Montana, is subjected to some severe weather extremes. The annual mean temperature is in the range of 40° Fahrenheit. The mean summer temperature approaches 74° Fahrenheit, but some summer extremes can reach into the 90° Fahrenheit range. Winters are generally cold, with extremely low temperatures often reaching near the minus 50° mark for short periods. The mean winter temperature is within the 20° Fahrenheit range.

Annual precipitation varies according to the topography from 10 to 14 inches along the northern plains to 17 to 20 inches in the Little Rocky Mountains on the southern edge of the reservation. The length of the growing season in the area ranges from 119 to 131 days per year.

TRANSPORTATION

Federal Highway No. 2 traverses the area in an east-to-west direction, and is one of the main northern routes from the east coast to the west. Harlem, located near the northwest corner of the reservation, is the closest trading center. Consumer services are also available in Chinook, Havre, and Malta. Great Falls, Montana, located 130 miles southwest of the reservation, is the nearest metropolitan area.

Public transportation to the remote parts of the area is limited. The Missouri Valley Bus Lines provides daily service east and west from Harlem. Frontier Airlines offers daily flights into and out of Havre. Small planes can land at Harlem or at an airfield at Fort Belknap Agency.

MEDICAL FACILITIES

The Division of the Indian Health Service of the Department of Health, Education, and Welfare operates a hospital located at the Fort Belknap Agency. Both out-patient and in-patient services, as well as dental care, are provided for the reservation's residents. A subsidiary dental clinic at Hays operates two days a week. Referral facilities are located in Havre, Billings, Great Falls, and in Seattle, Washington.

Fort Belknap's health care program includes other community health services such as public health, sanitation, health education, and mental health consultation. Services provided in this area include community clinics, home visiting, school programs, quarterly chest clinics, community surveillance, and educational programs.

EDUCATION

Fort Belknap Indian children on the reservation attend elementary public schools at Harlem and Lodge Pole. There is a public elementary school and a 12-grade mission school at Hays, mainly attended by those students living near the reservation's southern border. Also, there is one public high school at Harlem (grades 9-12). Some of the high shcool students may elect to attend off-reservation federal boarding schools.

During the 1976-77 school term, there were 660 Fort Belknap Indian students attending elementary schools, and 520 students in secondary school. Of the latter, 158 were college and university students.

NATURAL RESOURCES

Agricultural production and its associated activities provide the major economic base of the reservation. About 71 percent of the land within the boundaries of the Fort Belknap Indian Reservation is held in trust status for the Indians. Of this amount, one-fourth is in tribal trust status, and about three-fourths is in allotted trust status.

Ninety percent of the total Indian land base on the reservation is used for grazing cattle. The remaining 65,535 acres are used for field crops. Of the field crop acreage, approximately one-sixth is watered from an Indian irrigation project.

EMPLOYMENT AND INCOME

Today, as in the past, employment for the reservation's residents is scarce. This scarcity forces many people to move away from the reservation to take up temporary or permanent employment elsewhere.

The Bureau of Indian Affairs Agency and the tribe itself are major employers on the reservation. Some of the Indians are successful in obtaining jobs in the nearby communities of Harlem, Havre, Chinook, and Malta. Some of the Indian people support themselves by farming and ranching and by jobs in agriculture, while others derive some income from those sources.

RECREATION

Along the Little Rockies, the reservation offers some scenic locations. One of the best known sites is in Mission Canyon south of Hays. Visitors will find Indian tribal campground sites throughout the reservation. Non-tribal members must purchase a permit for overnight or extended camping.

A summer recreation program has been recently initiated for the Indian children, and the summer's programs include swimming, roller skating, hiking, fishing, and horseback riding.

ANNUAL FESTIVITIES

During the 1920's, caravans of Indians from surrounding areas traveled to the Fort Belknap Indian Reservation to participate in the Indian Fair. Today a semblance of the fair and pow-wow is held each year in late July, and still attracts Indians and non-Indians alike. This celebration, today called the "Fort Belknap Indian Days," features Indian dancing, singing, feasts, and "give-aways."

During the first week of October, the Fort Belknap Tribe holds the "Chief Joseph Memorial Dance." This is followed in February of each year with the "Winter Fair," which offers boxing contests and Indian ceremonial dancing. The public is invited to these celebrations.

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* Information taken from the Bureau of Indian Affairs, Billings, Montana, 1980.

ASSINIBOINE

The ASSINIBOINE are people of the northern Great Plains of North America who call themselves Nakoda ("the people") or Nakota ("the generous ones). To the Chippewa, they are known as As'see'nee pai-tue ("Those who cook with stone"). In Canada they are called the Stoney, while in the United States they are known as the Assiniboine. Through years of separation, differences in dialect and custom have developed between the two branches. But they still remember their common origins, and consider themselves a single people.

Origins, location, and language. Pierre Jean Desmet, a French Jesuit missionary of the early 19th century, stated that the Assiniboine were once members of the Yanktonai band of Dakota (Sioux). The oral tradition of the Assiniboine, however, refutes that claim. According to oral history in all Assiniboine tribal bands, their origins are Algonquian. Scholars of Assiniboine descent have been involved in research in this area since the mid-1970's.

Tribal oral history states that the Assiniboine originated in the Lake of the Woods and the Lake Winnipeg areas of Canada, and became allied with the Cree. In 1744, a division was noted, and "the people" divided again. Some bands moved west into the valleys of the Assiniboine and Saskatchewan Rivers in Canada, while others moved south into the Missouri Valley. The bands inhabited an area from the White Earth, Minnesota, region west to the Sweet Grass Hills of Montana. They also lived and roamed north of the U.S.-Canadian border to a line running east and west from Hudson Bay to the Rocky Mountains.

Thirty-three bands of Assiniboine have been identified. According to Edwin T. Denig, the Assiniboine returned to the Missouri region between 1800 and 1837, numbering about 1,200.

The Assiniboine language is a dialect of Dakota, a subdivision of the Siouian family. In many respects, it could be considered a simple language. A mini-analysis was conducted by Ken Ryan, an Assiniboine from the Fort Peck Reservation, utilizing the International Phonetic Alphabet. He developed a phonetic Assiniboine alphabet, and found that there are 26 phonemes, 20 consonants, and 6 vowels in the language.

Tribal culture. The Assiniboine were typically large-game hunters, dependent on the buffalo for a considerable part of their diet. They used buffalo hides for clothing and receptacles, and lived in hide tipis. By about 1750, the Assiniboine hunting grounds embraced all the Canadian prairies. Both the Canadian and U.S. branches occassionally slaughtered entire herds by driving them into compounds. The meat was roasted on spits, or boiled in hide bags by means of hot stones. The Assiniboine also made pemmican, which they traded or ate themselves. The dog was the only aboriginal domestic animal, and was generally used to carry packs and pull travois, although the pups were sometimes eaten for religious purposes.

Most Assiniboine attached great importance to visions, and these took precedence in religious life. The elements of ceremonies and rites were performed individually or in groups. They included offerings, prayers, the solemn unfolding of a pack containing sacred objects, and the singing of sacred songs. Tremendous importance was attached to the songs, which were repeated according to their mystic number. The Assiniboine considered sweating a necessary purification before participation in any major ceremony. Their favorite incense for major ceremonies was made from sweet grass. Tobacco was, as a rule, reserved for ceremonies and other solemn occasions. The pipes were handed and passed according to definite tribal traditions.

The Assiniboine believed in great power — the Creator. They lived their religion every day. Therefore, they made sacrifices, fasts, and prayers to this unknown power, which they knew from actual phenomena had an existence. Mythological stories were told mainly for amusement. Most of them, however, contained a moral or an ambiguous meaning, and were interesting and imaginative.

The Sun Dance, an annual religious ceremony, was prohibited by the U.S. Department of the Interior in 1904, but the ban was removed in 1935. The Sun Dance has been extinct in Assiniboine culture since the late 1950's, because the "keepers" died before handing down the rituals. Some Assiniboines have participated in sun dances of other tribes in the late 20th century.

The Assiniboine were quite warlike. A periodically functioning police force was characteristic, and club-like organizations promoted the military spirit. A military society controlled every large camp, with the chief generally abiding by its decisions. The Assiniboine utilized the bow and arrow, a long-handled spear for close fighting, and three or four types of stone-headed clubs.

The Assiniboine have a peculiar style of decorative and pictographic art. Their sign language and decorative paintings on hides emphasized straight-lined, geometrical designs. The women made fine porcupine quill embroidery, and great skill was displayed in the attachment of feathers.

Feminine chastity was highly prized, but romance was by no means lacking in the sex life of the Assiniboines. The Assiniboine had a deep love for children. Discipline, although mild, was not entirely lacking.

Tribal history. The Assiniboine and the Dakota were bitter enemies from early history. At one time, the Assiniboine joined with the Chippewa and the Cree in fighting the Dakota for control of the buffalo country. With their Cree allies, the Assiniboine fought against the Blackfoot Confedreacy for control of the Canadian prairies during the mid-18th century. Other enemies included the Blackfoot, the Gros Ventre, and the Flathead. By the late 18th and early 19th centuries, however, some Blackfoot and Assiniboine were at peace.

The French explorer Duluth (Daniel Greysolon, Sieur du Luth) established relations with the Assiniboine in Canada in 1678 when he explored the Lake Superior region in search of a water route to the Pacific. The Assiniboine acquired horses and firearms, which altered their hunting and transportation methods, by inter-tribal trading in the mid-18th century.

Reliable estimates of the Assiniboine population prior to the 19th century are not available. Their population was estimated at about 8,000 to 10,000 in the early 19th century, although one source placed it as high as 25,000. About 4,000 Assiniboine died in the smallpox epidemic of 1836, and the population steadily declined until the late 19th century.

The Assiniboine in the United States accepted the 1851 Treaty of Fort Laramie. They agreed to allow free access to wagon trains on the Oregon Trail, the building of roads, and the establishment of a chain of U.S. forts in their country. Soon afterward, they affiliated themselves with the Blackfoot and signed the Treaty of 1855 at Fort Laramie, which set aside territory for Indian hunting rights, but not a reservation. The Fort Belknap Reservation was established in 1870, and in 1888 it was moved to its present location in northeastern Montana. Chief Crazy Bear of the Little Rocky Mountains clan in Lodge Pole signed the Fort Laramie Treaties of 1851 and 1855.

The policy of the U.S. government was to provide the Assiniboine with the necessities of life that they could no longer provide for themselves. Emphasis was placed on assimilation into the general society. Land was allotted in small tracts, children were sent to federal boarding schools, and Indian religious practices were repressed under the Religious Crimes Code. As a result, many individual Indians did become assimilated, but the Indian community as a whole suffered.

The Canadian Assiniboine signed three treaties with their government: Treaty No. 4 (September 15, 1874); Treaty No. 6 (August 23, 1876, September 9, 1876); and Treaty No. 7 (September 22, 1877). The Assiniboine ceded lands to Canada, and in return received one square mile for each family of five, the right to hunt and fish in tracts surrendered to the government, schools, and some agricultural equipment.

Contemporary life. The Assiniboine were spread over a wide geographic area in the late 20th century. In the early 1970's, they numbered more than 1,500 in Canada, and may have exceeded 4,500 in the United States. Their principal location in Canada was the Stony Reserve in Morey, Alberta. Smaller bands were scattered over various other reserves in Alberta and Saskatchewan. Those who resided in the United States shared the two Montana reservations of Fort Belknap and Fort Peck with their traditional enemies, the Dakota and the Gros Ventre.

Although the Assiniboine had adopted some of the white man's ways, they retained many more of their own. Their family ties were strong, and they practiced the Indian custom of sharing their possessions. They also continued to prepare foods that were enjoyed by their ancestors, and participated in Indian celebrations, giveaways, and feasts.

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ORIGIN OF GROS VENTRE TRIBE

The Gros Ventre, as far as anyone can tell, were once closely affiliated with the Algonquin-speaking Arapaho and Cheyenne. It is said that all three tribes once lived in the east, in Minnesota; and that all three migrated westward to North Dakota. These tribes together were among the last to migrate into Montana. After they migrated to Montana, the Arapaho moved southwards to the Wyoming and Colorado area. The Cheyenne who migrated with the Gros Ventre and Arapaho also migrated on. Some went south to the Oklahoma Territory, and some stayed in Montana. Each tribe separated during the Treaty of Fort Laramie in 1851.

The Gros Ventre, after their migratory break from the Arapaho, were next closely associated with the Blackfeet Indians. It is from this point that most of what is known about the Gros Ventre is found. After joining up with the Blackfeet, the Gros Ventre tribes roamed north central Montana and southern Canada.

In 1868, the United States Government established a trading post called Fort Browning near the mouth of Peoples Creek on the Milk River. This trading post was originally built for the Gros Ventre and Assiniboine, but because it was built on a favorite hunting ground of the Sioux, it had to be abandoned in 1871.

After the abandonment of Fort Browning, the government built another post. It was called Fort Belknap, and was established on the south side of the Milk River, about one mile southwest of the present townsite of Chinook, Montana. Fort Belknap was a substation fort, the left half of the structure being a trading post. A block house stood to the left of the stockade gate. At the right side was a warehouse and an issue building, where the tribes received their rations and annuity goods.

In 1876 the Fort was discontinued, and the Gros Ventres and Assiniboines receiving annuities at the post were instructed to go to the agency at Fort Peck and Wolf Point. The Assiniboine did not object to going to Wolf Point, and readily went about moving; but the Gros Ventres refused to go. If they did, they would come in contact with the Yanktonais, with whom they could not ride together in peace. They forfeited their annuities rather than go to Fort Peck to get them.

In 1878 the Fort Belknap Agency was re-established, and the Gros Ventre, with a portion of the Assiniboines, were again allowed to receive supplies at Fort Belknap. It was at this site in the year 1888 that the Fort Belknap reservation was established.

MATERIAL CULTURE OF THE GROS VENTRE

The Gros Ventre tribes share a large number of cultural traits with the Plains Tribes of Montana. For instance, the Gros Ventre's main source of food was buffalo meat, which to them was more favorable than any other meat or food source. Although it was their favorite, they also ate many other kinds of meat, such as deer, elk, antelope, beaver, prairie dogs, gophers, and rabbits. The latter meats were eaten only when the need was high. Another interesting delicacy of the Gros Ventre was pup. It was said that pup meat was to the Indian what chicken was to the white man.

The Gros Ventre also used these animals for materials for their clothing and shelters. The buffalo robe, dressed with the hair on, was perhaps the most valuable article of clothing the Indian had. When decorated, it had high value as a gift. Seldom was the hide of a buffalo older than two years, since the coat of the older buffalo was usually scabby, even during fall when the coats were in their best condition.

Most of the other articles of clothing were made from well-dressed deer, elk, and antelope skins. While the finest clothing was made from deer and elk, it was preferred for some purposes such as moccasins and warm shirts and coats because it was more durable. For winter wear, caps and mittens were made of beaver and otter skins. They also served as a breech cloth for men and boys in the winter. Ordinarily the Gros Ventre wore plain clothes made from buckskin, but whenever a special event came up, they would dress up. The men would put on their finest buckskins decorated with quill embroidery. The women would put on their buckskin dresses that were decorated with elk teeth, which was another tradition of the Gros Ventre.

The Gros Ventre did one outstanding thing that put them in a class apart from most other Plains tribes. They washed their clothing with a clay substance which, when rubbed on wet buckskin, caused the material to become very white in color. This is the reason the Gros Ventre called themselves the White Clay People of A aninin."

The Gros Ventre people used the same means of shelter as the other Plains tribes — the tipi. This was made from buffalo skins that were supported by lodge poles, which usually ranged from 14 to 40 feet long.

SOCIAL ORGANIZATION OF THE GROS VENTRE

The Gros Ventre tribe was divided into twelve bands. The bands were called the Coffees, Plenty Bad, Greys, Fast Travelers, Water Horses Once a Day, Upper Quarters, Frozen, Buffalo Overloaded, Tendons, Bloods, Night Hawks, and the Tendouas Assiniboine. These bands camped in this order when the whole tribe was together.

The tribe circled their tents together when all were gathered, with an opening towards the east. When the bands were separated, they usually camped along a creek or water way, with each family sometimes staying together.

The Gros Ventre people were firm believers in both polygamy and child brides. This custom lasted until about 1880. All girls were given in marriage before puberty, usually as wives to older men with independent households. Becuase of the difference in age between husband and child bride, many of the girls were widowed early. Remarriage was quickly arranged for the widow if she was not claimed by her husband's brother. Divorce or separation initiated by the husband was relatively easy and frequent. Consequently, most Gros Ventre women knew at least three or four different husbands, often in fairly rapid succession. Upon successive remarriages, the wife's age came to approximate more closely that of her husband.

Young men were not eligible for marriage until about twenty. By that time a young man would have attained proficiency in hunting; and would have taken the first steps in ceremonial life. He would become a member of one or the other of the two mens' societies, the Wolf Men or the Stars. In addition, he should have war-deeds to his credit, and some property of his own, especially horses stolen from the enemy, in order to qualify as a husband. The marriage was as a rule arranged between the husband-to-be and the bride's father, uncle, or brother, with the bride having no say at all.

When a man had two or more wives, they were considered to be helper wives to the senior wife. She distributed the household tasks, and the helpers were allotted the heavier work, which usually included the gathering of fuel and water. Nevertheless, all women were expected to be industrious, and the senior wife as a rule enjoyed no more leisure or freedom than the others. Whenever a woman was pregnant, the other wives usually took care of her so she would not have to work so hard. The birth of a child usually took place in the women's own lodge, with a midwife taking care of the woman; for it was against the Gros Ventre's religion for a man to touch a woman while she delivered a baby.

After the child was born, it usually was not weaned until it was two or more years old. Every Gros Ventre child was given a name shortly after birth. Many Gros Ventre, however, were and are known by names other than the original one. As the child grew older, formal training in skills necessary for women's work was begun for little girls. This was usually in the hands of a female relative — a grandmother or perhaps a widowed aunt to whom the child would be sent at the age of about seven years. The reason for removing a girl from her immediate family circle was said to have been to protect her virginity. Should there not be a suitable relative, however, the girl's parents would keep her at home, and she would receive training in domestic duties from her mother.

The boys, although they had much more freedom than girls, were also assigned tasks such as taking care of horses. When they grew older, the boys usually accompanied the men on hunting parties, and by the time they were 18 years old, most were skilled hunters. Some families, it was said, gave big feasts when their boys brought home their first kill. On such occasions the boy stood at the center and gave away property, such as horses and blankets provided by his father or uncle, in order to mark the event. This was considered training for the way he should behave in later life in regard to his own property.

SACRED PIPE OF THE GROS VENTRE: THE FLAT PIPE

The Flat Pipe, according to tradition, was originally kept by hereditary keepers. This tradition became lost somewhere, and keepers were chosen by special ceremonial rites. Whenever a keeper wanted to give the pipe to another, he called a secret meeting of ex-keepers and ex-co-keepers. (Ex-keepers were men who kept the pipe and gave it to others to keep. The ex-co-keeper was the head wife of the keeper who used to have the pipe.) The keepers of both the Flat Pipe and the Feather Pipe were to come without a word to anybody to meet at the keeper's lodge, on a given night after everybody was asleep, so no one would know and so the prospective person would not take off. When a rumor would spread that a new election was imminent, those who thought they might be elected would sleep elsewhere than in their own lodges, as almost all were reluctant to become keepers. Those invited to the election meeting had to keep absolute secrecy beforehand, and at the meeting itself no one but the keeper and co-keeper and the ones invited were present, except for two attendants, who were sons of keepers or ex-keepers.

After the meeting was started, the keeper would start the meeting by giving the name of a man he felt was right for the job. The picking was then started, and usually lasted for quite a while. Each person who was picked for a candidate for pipe keeper usually had to be a person of very good standing in the tribe. He had to be a prominent member of the tribe, a man of great ability and renown, with a record of recognized achievement, and with very considerable wealth in horses, in the size and furnishings of his lodge, and so forth.

After the choice was finally made, the whole party with others of their kin proceeded secretly before daylight to the lodge of the one elected. They would seize him bodily by surprise before he could escape. Once seized, or even elected, he had practically no choice but to accept. If he did not, there was said to be no physical punishment, but a supernatural one. It was said that some grave evil would befall the person if he did not accept the office.

After a person became the keeper of the Flat Pipe, he received with this position many restrictions on his life, obligations, responsibilities, and sacrifices. He also received many benefits, such as special rights, privileges, and powers. The Smoking of the Flat Pipe is in fulfillment of, and the largest and most elaborate rite that accompanied the Flat Pipe. Now to smoke the Flat Pipe would be done only in extreme emergency, such as imminent danger of death from enemy attack, illness, or drowning.

THE FEATHERED PIPE

The terms for the keeper, co-keeper, and pipe child of the Feathered Pipe are the same as those of the Flat Pipe. Apparently the same high qualifications were required in the keeper of the Feathered Pipe as in the keeper of the Flat Pipe. He had to be known as a good man, wealthy, and noted as a man of intelligence, to learn and know the rites and traditions, and to maintain the dignity of the ceremony.

As with the Flat Pipe, succession of the keeper could be either appointed or elected, and also voluntary. According to the original story of the Feathered Pipe, the man to whom the Pipe was first given (appointed, apparently, on his sole authority) turned the pipe over to his uncle as the keeper. There was always a pipe woman or co-keeper, the wife of the keeper. She handled the pipe bundle, and in general had the same ritual duties toward the Feather Pipe bundle as the co-keeper of the Flat Pipe bundle. The Feathered Pipe keeper had to have at least two wives; for when one would get her menstrual period, the co-keeper could not handle the bundle — the other one would, and she had to sleep outside and live outside the lodge of the keeper. The other wife of the keeper had to substitute for her in the handling and care of the bundle. The pipe also had a pipe child; a girl, unless the keeper had no daughters. In this case, a son could be selected by the keeper as pipe child.

In the case where a new keeper was elected in secret and not told or asked beforehand, at night, after the camp was asleep, a group would sneak up to the lodge of the one that was elected, and one of the group carrying the Feathered Stick from the pipe bundle entered the lodge. If the one elected tried to escape, the watchers outside would grab and hold him. The electee was raided and lost everything — his lodge and horses and other belongings — just as the man to whom the Pipe had first been given lost everything afterward. However, the relatives and friends of the electee, and anybody that could, would give him a new lodge, new bedding, and other lodge equipment and horses.

After the electee was grabbed, he was taken to the lodge of the keeper who wanted to give up the pipe, and was given ceremonial rites that exchanged the keeping of the pipe to the new keeper.

TRIBAL GOVERNMENT

Within the Gros Ventre people, there were twelve bands: the Coffees, Tendouas Assiniboine, Plenty Bad, Greys, Fast Travelers, Water Horses Once a Day, Upper Quarters, Frozens, Buffalo Overloaded, Tendons, Bloods, and Night Hawks. For each one of these bands there was a leader.

Within the band there may be many "chiefs," but only one person who directed the band when it moved from place to place. A chief was one person who directed the band when it moved from place to place. A chief was one who had distinguished himself in battle. The leader was obligated to make simple decisions: where to go and when in order to hunt, to seek lodge covers, to gather berries, to cut new tent and travois poles, and so on. He would entertain people daily. Usually they were prominent men of his band and other bands. He would have extra provisions on hand to carry out this extensive hospitality. He would have extra horses, buffalo, and pack for the young men, usually his sons and nephews, to go out on the hunt. His wives would invite the old women of the camp to help dress the meat, to render grease, and collect marrow. They would do this gladly for fresh meat.

The chief had to be a model citizen before he was recognized as the leader. First of all, he had to be a warrior. He also had to be generous, keep to his own wives, and be well received within the band. He never sought out the chieftainship; the tribe gave it to him.

In carrying out his duties – that is, in deciding when and where to move – the leader consulted with others and proceeded in a democratic fashion. If two or more bands were together, the leaders would consult among themselves and come to a decision whether the bands should remain together and where they should go. Other men would be present, and they had the right to speak their minds.

On the march, the leader went at the head of his band and showed the way. When several bands were together, the leader of one would have decided where he intended to go; and if the other bands had decided to go along with this one, they followed. But they were free to break away at any time.

As with the Assinibone, the governing of the tribe within the Gros Ventre was done by the men who met in a formal council. Each man had equal rights within the council, and the majority ruled.

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* Hannery, Regina, "The Gros Ventres of Montana: Part I; Social Life," Catholic University of America Press; Washington, D.C., pp. 25-30.

AGENCY POSTS

In 1868, a trading post, Fort Browning, was built near the mouth of Peoples Creek on the Milk River. The Sioux moved in to hunt buffalo in the Milk River Valley, which was one of the last grazing grounds for the vanishing buffalo. The presence of the Sioux prevented the Gros Ventre and the Assiniboine from trading at Fort Browning, and it was abandoned in 1871. The Sioux then put the torch to the vacant buildings.

A new post, Fort Belknap, was established on the south side of the Milk River, about one mile southwest of the present townsite of Chinook, in 1871. By 1873 all of the log buildings for the post were completed.

Belknap was a sub-station fort, the left half of the structure being a trading post. A blockhouse stood left of the stockade gate. On the right side stood a warehouse and issue building, where the Indians received their rations and annuity goods. Other buildings included stables and a blacksmith shop. A mess hall was constructed inside the stockade.

Abe Farwell built the post for Colonel C.K. Peck and his brother-in-law Commodore E.H. Durfee. It was named for William W. Belknap, Secretary of War at the time. Thomas O'Hanlan, an Irishman not yet thirty years old, who had been working as a trader at Fort Peck, was appointed post trader.

The Gros Ventre and Assiniboine were served from this post. In September of 1876, the post was discontinued,and the Gros Ventre and Assiniboine receiving annuities at the post were instructed to go to the Agency at Fort Peck and Wolf Point respectively. The Assiniboine did not object to going to Wolf Point, and readily went about moving. But the Gros Ventre refused to go where they would come in contact with the Yanktonais, with whom they could not live in peace. They forfeited their annuities rather than go to Fort Peck to get them.

In 1878, the Fort Belknap Agency was re-established, with W.R. Lincoln as the Agent. The Gros Ventre, with a portion of the Assiniboine and some River Crows who were making their home in the vicinity, were again allowed to receive supplies at Fort Belknap.

The Fort Belknap Reservation was established from the Milk River to the Little Rocky Mountains by the Act of May 1, 1888; and the Fort Belknap Agency was established at its present location, four miles southeast from the present site of Harlem.

THE CHEROKEE NATION

When the Indians first came in contact with the white man, they treated him as an ally and friend. The first to come were the English and the colonial settlers. It seemed that even though the Indian was in control of the New World, the white man was destined to be the final ruler. At first, the Indians gave small portions of land to the white men. Then, as more white men came, they began to need more and more land. It finally came to the point where the Indians were being pushed off their own land by the people they had let live on it in the first place.

This is the way it happened with the Cherokee. They let the white men have land until it came to the point that the white men were making treaties with the Indians, giving them small portions of land left over after the white men had taken their share.

On November 28, 1785, the Cherokee made their first treaty with the United States at a town named Hopewell in South Carolina. The Cherokee acknowledged its sovereignty, and they gave up land previously seized by settlers. But the new boundary was strictly defined, and the United States promised to refrain its citizens from further trespass. They also told the Cherokee that they might choose a delegate to represent them at the gathering of the congressmen. This, of course, was before the adoption of the Federal Constitution, and the congressmen were just representatives of the different colonial states.

It was not long after this treaty that settlers went into the heart of Cherokee land and claimed parts of it, completely disregarding any boundaries established by the Hopewell Treaty. After hearing this, Washington again called the Cherokees to a treaty council, which met in 1791 on the Holston River at the site of Knoxville. It was attended by forty chiefs who were leaders of both the peace party and the hostiles of Chickamauga. A treaty was signed defining the boundaries (the Cherokees lost what had been seized in violation of the Treaty of Hopewell), and guaranteeing the tribes against future encroachment. It also provided that, in order to lead the Cherokee to a greater degree of civilization, and that they might become herdsmen and cultivators instead of remaining hunters, the United States would furnish them "gratuitously" with the instruments of husbandry. But in spite of the treaties, the border conflicts continued, with white militia and volunteer units invading the Cherokee country, destroying towns and killing people.

The persecution of the Indian people continued for years, with the white man continuing to invade the different Indian territories. A few of the tribes, especially the Cherokee, still owned most of their homelands. This was mainly because they had taken the advice of some of their white well-wishers — which was to learn the civilized way, and to prosper on limited acreage.

It was about this time that the Cherokees decided that, along with their economic progress, they should have schools. When word of this got around, different religious groups, such as the Moravian Brethren, the Presbyterians, and the American Board of Commissioners for Foreign Missions, came and opened their schools. It was these schools that enabled the Cherokee people to progress quickly, and to learn more of the white man's ways and functions.

It was soon after this that the Cherokee genius, SEQUOYAH, reduced the Cherokee language to writing. This remarkable Indian spoke, and wrote no English, and he never came under missionary influence. But he knew that the white man had a system of conveying messages by making marks on paper. It was said that he told people that he thought it would be like catching a wild animal and taming. it. Working for years, and finishing in Arkansas in 1821, he isolated eighty-six Cherokee syllables and assigned a character to each one. Thus, the Indian simply memorized the characters, and he could read or write anything in the language. Almost immediately the whole tribe became literate, and the western and eastern divisions began to communicate with each other in writing.

The great missionary of the American Board of Commissioners for Foreign Missions, Samuel Worcester, went to Boston and had special type made for a printing press. In 1828, the tribe began publishing a newspaper with columns in English and Cherokee, and full-bloods in the most remote settlements became informed on current happenings. At the same time, and with the Board scrupulously paying the tribe for use of its press, Worcester published books of the Bible, religious tracts, and hymn books in the Cherokee language. Meanwhile, mission schools multiplied, and adults in increasing numbers were joining Presbyterian, Methodist, or Baptist churches.

In 1808, the Cherokees had begun to formulate a legal code, necessarily written in English. Then, step by step, they developed a responsible government to take the place of the haphazard rise of chiefs. In 1828, they elected delegates to a constitutional convention, which created a government with a principal chief, a bicameral council, and a system of courts with orderly procedures and jury trial; and they participated freely in the election that followed.

John Ross was chosen as principal chief. He was one-eighth Cherokee Indian, but all Cherokee in feeling. He had the complete confidence of all the full-bloods, who elected him repeatedly to that office until his death in 1866. Their government functioned smoothly and effectively, financed by council appropriations of the $6,000 annuity paid by the United States under various treaties. They laid out a capitol (named New Echota), erected public buildings, and began to publish their newspaper there. They were a united people; safe, they thought, from further land cessions by bribed or intimidated chiefs.

But all this was not to last for long, because a man named Andrew Jackson was elected as United States President in 1828. He made it clear, through previous statements, that the Indians' time had come; and that he would send them to the west by force if necessary. Even before he was elected, states such as Georgia, Mississippi, and Alabama passed laws that extended their jurisdiction over the Indians within their borders. They put so much pressure on the Indians that their only alternative was to remove themselves to the west.

The first to go were the Choctawa, the Creeks, and finally, the Cherokees. The Cherokees fought for their homeland with the resources of their new learning. Among their leaders were Chief John Rose, and the families of two full-blood brothers, Walking-On-The-Mountain-Tops, known as The Ridge (Major Ridge after he served with Jackson in the Red Stick War), and Oowatie, both married to mixed-blood women. Their sons were able and well-educated: John Ridge and his cousin Buck Oowatie (renamed Elias Boudinot) in an American boarding school in Connecticut, where they married two white women; and Stand Oowatie (Watie) in a mission school in Tennessee. Elias Boudinot became the editor of the tribal newspaper, and his brilliant editorials strengthened the people to stand together.

The very year the paper was launched, gold was discovered in the Cherokee country in Georgia, and ten thousand intruders began laying out mining claims. The dispossessed Indians, having no recourse in the state courts, abandoned their cabins and farms and withdrew to other parts of their country. Then, in December of 1830, Georgia followed the passage of Jackson's Removal Act with a series of savage laws against the Cherokees, forbidding their judicial officials to hold court, or their council to meet except to ratify land cessions; forbidding them to mine their own gold, and authorizing a survey of their country. Legislation against the missionaries required white men living among the Indians to swear allegiance to the state under pain of four years' imprisonment for noncompliance.

The Georgia Guard was composed of ruffians who terrorized the Cherokees by putting them in chains, tying them to trees and whipping them, and throwing them into filthy jails. In communications to the Georgia officials, the president encouraged their anti-Cherokee policy; but to the Indians, he argued that he was powerless to prevent the operation of state law. The Cherokee Council, meeting in defiance of the prohibition, then authorized Chief Rose to employ counsel and test this contention in the courts. The Nation had no income, for the president had stopped the annuities on the grounds that the tribal government was extinct. But through private donations and the generosity of the Cherokees' attorney, the case was carried to the United States Supreme Court.

To come under the court's jurisdiction, the Nation had to qualify as a "foreign" state. In the CHEROKEE NATION VS. GEORGIA decision on March 5, 1831, the court, though expressing great sympathy for the Cherokees, rejected this contention, and refused to assume jurisdiction. But its definition of the status of the tribe became a constitutional landmark. It was a "distinct political society...capable of managing its own affairs and governing itself;" and such societies were domestic and dependent nations whose relation to the United States resembles that of a ward to his guardian.

The opportunity to test the repressive laws came to the Cherokees later that year when Worcester and another American Board missionary, Elizur Butler, refused to take the oath of allegiance to the state. They were arrested with great brutality by the Georgia Guard, convicted, and sent to prison. This time there was no question of the Supreme Court's jurisdiction, and in the Worcester vs. Georgia decision in February, 1832, the Cherokees won a complete victory. Said the Court:

"The Cherokee Nation, then, is a distinct community occupying its own boundaries accurately described, and which the citizens of Georgia have no right to enter but with the assent of the Cherokees themselves, or in conformity with treaties and with the acts of Congress. The whole intercourse between the United States and this nation is, by our constitution and laws, vested in the government of the United States. And the law under which Worcester was convicted is consequently void, and the judgement is nullified."

The joy of the Cherokees was beyond imagining. Their homes, their government, and their peaceful progress all seemed restored. Boudinot, in Boston on tribal business, wrote to his brother of the glorious news, "...It creates a new era on the question." Truly, it did promise more than a deliverance. It had come too late to save the Choctaws, but it would have protected the Creeks and the other southern tribes.

John Ridge, in Washington with other Cherokee leaders at the hearing, expressed equal joy, but more caution: "The chicken snake Andrew Jackson has time to crawl and hide." He was right. Whether or not the prsident used the words ascribed to him: "John Marshall has made his decision; now let him enforce it;" he ignored court ruling and advised the Georgia officials to continue their persecution of the Cherokees.

Later that same year, the state held its land lottery. The elegant plantation houses and extensive fields of the wealthy mixed-bloods fell to the holders of lucky numbers. Among the dispossessed was John Ross, who with his ailing wife, Quatie, and their children, moved into a one-room cabin across the border in Tennessee. The mission properties with their school buildings, residences, and demonstration farms also fell to the winners, as did the public and private buildings at New Echota. Throughout the country, the full-bloods were evicted from their cabins and fields, and robbed of their livestock.

A few Cherokees yielded to this pressure and began to emigrate, joining the old settlers in the west, who by this time had been pushed from Arkansas to Oklahoma. The governor then released the two imprisoned missionaries,

and they joined the western division of the tribe. Boudinot had begun to see emigration as inevitable, but when he cautiously approached the subject in the tribal newspaper, Chief Ross forced his resignation. In his valedictory issue of August 11, 1832, he wrote, "I cannot tell my beloved country and people that we will be reinstated in our rights when I have no such hope." The publication was continued under a less able editor until it succumbed in 1834. Attempts to revive it failed when in the next year the Georgia Guard confiscated the press and type.

By 1834 the unity of the Nation began to break up. It was broken into two groups. One group was led by Chief Ross (this was the largest); and another, smaller group was led by Ridges, Boudinot, and Stand Watie. A woman named Grace Steele Woodward has uncovered proof of secret collaboration between the latter group and federal and state officials. It is certain that the group's property was withdrawn from the lottery wheel, but nobody had found any evidence of bribery. Apparently, they had decided upon what was best for their people, and were willing to bypass the democratic process for their supposed benefit. Then, as feelings mounted, the difference of opinion between the two parties erupted into hatred.

Finally, Ross also saw removal as inevitable. He proposed selling the land for twenty million dollars, and he made overtures to Mexico for the purchase of a refuge there. He may have had his eyes on Texas, for as early as the winter of 1819-20, sixty families of Arkansas Cherokees under a chief known as "The Bow" had established a settlement in that province. But federal officials scornfully refused to trade with Chief Ross. They knew where they could get the land cheaper. They wrote a treaty with the Ridge-Boudinot-Watie party and presented it, in October of 1835, to a full council of the Nation, meeting (with their capitol lost) at Red Clay on the Tennessee line.

John Howard Payne, planning to write a Cherokee history, had come to interview Ross in his meager cabin. He saw the full-bloods when they stopped to greet the chief as they walked past on their way to the council ground. They carried tin cups and bed rolls, wore turbans and hunting shirts belted with sashes, and conducted themselves with deep seriousness. The council unanimously rejected the treaty, and authorized Chief Ross to head a delegation to go to Washington and negotiate for more favorable terms. But to prevent his going, twenty-five members of the Georgia Guard crossed into Tennessee, arrested Ross and Payne, and threw them into a Georgia jail. There, chained near them, they found the son of the speaker of the council, and hanging overhead was the decomposing body of a Cherokee executed some time before. They were kept there for thirteen days. No charges were ever brought against them.

Finally, Ross managed to reach Washington. While he was there, the federal officials called another council to meet at New Echota to sign the rejected treaty. Only the Ridge-Boudinot-Watie family and a handful of their followers attended and registered their consent. People of good will throughout the United States protested the ratification of this malodorous pact, but it received Senate approval. By its terms, the Cherokee sold their holdings for five million dollars, much of which became an endowment for schools and other public purposes; and they agreed to remove within three years. A few of the small bands, including the treaty party, left at once, but the majority held out. Three of them, named Aitooweyah, The Stud, and Knock Down, wrote to Ross in Washington: "We, the great mass of the people, think only of the love to our land...where we were brought up...for we say to you that our Father who sits in Heaven gave it to us...To let it go it will be like throwing away...our mother that gave...us birth..."

In its maturity, Georgia, more than any other state, has made historical restitution for its frontier excesses against the Indians. Its Historical Commission has restored many Cherokee landmarks, especially the newspaper plant and other buildings at New Echota. In 1962, its legislature formally repealed the oppressive laws of 1830, with the admission that these "must now be read with humility and sadness." And most important of all, its scholarly writers present the damaging facts with complete objectivity.

None of this helped the Cherokees at the time. Their treatment had aroused so much public indignation that they hoped to obtain a new treaty permitting them to remain in Tennessee. But in the summer of 1838, General Winfield Scott (who was sickened by his assignment) was sent with 7,000 soldiers to remove them forcibly. They were rounded up in stockades and taken to the west. So many died that Ross finally got permission for them to manage their own removal. Even then, the loss of life was appalling. The first detachment of 858 was reduced to 744; the second of 858 was reduced to 654; the third of 950 was more fortunate, with six births, and only 38 deaths; the next of 1,250 was reduced to 1,033; and so on. Grand Foreman estimated that of 18,000 who went west following 1835, about 4,000 died in the stockades or on the journey.

An army private who served during the removal recalled the experience in after years. "I saw the helpless Cherokees arrested and dragged from their homes, and driven by bayonet into the stockades. And in the chill of a drizzling rain on an October morning I saw them loaded like sheep or cattle into wagons and started toward the west...Chief Ross led in prayer, and when the bugle sounded and the wagons started many of the children...waved their little hands good-bye to their mountain homes." The same private was with the Ross party when it camped in the storm of sleet and snow. Here the frail Quatie gave her blanket to a sick child. The child recovered, but the Indian woman contracted pneumonia and died. "I was on guard duty the night Mrs. Ross died," he remembered.

"When relieved at midnight I did not retire, but remained around the wagon where Quatie lay, out of sympathy for Chief Ross, and at daylight was detailed to assist in the burial...Her uncoffined body was buried in a shallow grave...and the sorrowing party moved on."

Several hundred Cherokees hid out and escaped capture, living in the mountains of North Carolina and subsisting on wild products. Finally, a man they could trust bought some land for them with money allowed by the government for their confiscated property, and they were permitted to remain there. They now number about 4,500, mostly full-bloods, living in a beautiful and picturesque region, making their living by farming and tourism, selling their crafts and recreating their history in the famous drama, "Unto These Hills."

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* Almost all of this information was taken from "History of the Indians of the United States," by Angie Debo.

THE MAJOR CRIMES ACT

The first action concerning Congressional intrusion into Indian sovereignty came in 1885. It resulted from a killing. Crow Dog, a Brule Sioux, killed Spotted Tail, another Brule Sioux, on the Brule Sioux Reservation. The Brule Sioux, like many other tribes, had established systems of courts and police on their reservations in the late 1870's to early 1880's. The Brule Sioux Court tried Crow Dog, and he was sentenced according to tribal law. The District Attorney of Dakota Territory apparently thought the punishment was not severe enough, and Crow Dog was also charged in Territorial Court. The Territorial Court sentenced Crow Dog to death. Crow Dog appealed to the federal court, which ruled that tribal courts have exclusive jurisdiction over crimes by Indians against Indians on Indian land. In 1883 the U.S. Supreme Court upheld this decision in the case In Re Crow Dog.

Crow Dog was set free, and the case received so much publicity in the press that Congress passed the Major Crimes Act of 1885. This act gave federal courts jurisdiction over seven categories of crimes committed on reservations: murder, manslaughter, rape, assault with intent to kill, arson, burglary, and larceny. The list has since been extended to include fourteen crimes. Although this act is ambiguous on the matter, it has been interpreted to grant exclusive jurisdiction to federal courts over the enumerated crimes, rather than concurrent jurisdiction with tribal courts. The jurisdiction of tribal courts has thus been severely limited.

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* Information taken from "The Sovereignty of American Indian Tribes," by George Grossman.

THE DAWES ACT

This act simply states that all tribal lands previously held as reservation land would be broken up in allotments to the Indians living thereon.

At first, the original wording was such that each head of family should receive 160 acres, and unmarried men and children would receive less. The Indians were so opposed to the "head of the family" situation that in 1891 the act was amended to provide equal shares to all. Eighty acres for agriculture and 160 acres for grazing were the allotments, but these amounts were subsequently modified in agreements made with different tribes.

LONE WOLF vs. HITCHCOCK

In 1901 this case tested Indian rights as pertaining to the Dawes Act — the legality of the government alloting an Indian a section of land upon his own reservation. Lone Wolf argued that this was illegal, but lost the case. The government argued that Indians were on federal land, and that the federal government could allocate the land as it saw fit.

THE REORGANIZATION ACT

Under President Franklin D. Roosevelt, many able people were brought into Indian affairs. John Collier and Felix S. Cohen were especially renowned for their scholarship in Indian affairs. Cohen was the first person to provide a book to completely explain the laws pertaining to Indians.

Under the direction of competent people such as Cohen and Collier, Indian policy was completely re-shaped. The allotment of Indian lands was stopped, and some lost lands were even re-purchased. Loans were made available for economic development of reservations; Indian people were given preference in employment rising from Indian programs; and tribal governments were re-structured with the hope of revitalizing them. These new policies were contained in the Indian Reorganization Act of 1934.

THE NORTHWEST ORDINANCE

In 1787 Congress passed the Northwest Ordinance, which provided for a more orderly development of the Ohio country. The first concern of the government was to extinguish the Indian title; next, to survey the land in mile-square tracts, and then sell it to the settlers. Congress chose General Arthur St. Clair as governor of the Northwest Territory, with the additional duty of Indian Superintendent, which became a responsibility of territorial governors from that time on.

The Northwest Territory, which was then the land between the Ohio and the Mississippi Rivers, and which now forms the states of Illinois, Indiana, Michigan, Ohio, and Wisconsin, had always been a concern of the American colonies, even while they were fighting for their independence from England. The greatest problem was whether the area would be controlled by the national government or by the individual states. Three states — Virginia, Massachusetts, and Connecticut — had claims in the area by virtue of colonial charters; and one, New York, by virtue of an Indian treaty. Three other states had claims to lands south of the Ohio, but six states were without claims to any western lands. The states without claims believed that all land in the west should be ceded to the national government. Maryland refused to ratify the articles on March 1, 1781, after Virginia had agreed to cede its western land claims. Between 1781 and 1786, the four states with claims northwest of the Ohio ceded them to the national government, and the Confederation Congress was given the task of legislating the land between the Ohio and the Mississippi.

The first major attempt to legislate the land in the Mississippi Valley was Thomas Jefferson's Ordinance of 1784 for the government of the western country. Jefferson introduced certain vital principles for the future of American western expansion. He envisioned the division of the American territory in the Mississippi Valley into ten states; and planned for their entry into the Union on an equal basis with the original members, listing three stages through which they should pass from first settlement to statehood.

Jefferson also suggested that slavery should be prohibited in these new areas after 1800, although in passing the ordinance, Congress eliminated this clause. The Ordinance of 1784 never went into effect, for land cessions still remained to be made, and the Indians had not yet yielded their claims to the area covered by Jefferson's Ordinance.

A more permanent measure was passed in 1785 — the famous ordinance which provided for the survey and sale of American public land. This system was to be the basis of American expansion across the whole American continent. All land was to be surveyed before sale, and divided into townships six miles square. Each township would contain thirty-six sections of 640 acres each. The ordinance also provided that one section in each township would be reserved for the support of public education, and the remainder would be offered for sale at auction. The minimum unit that could be purchased was one section (640 acres), and the minimum price was to be $1.00 per acre. This orderly method of frontier advance was to persist through American history, although the terms of sale were later substantially altered. Immediately after 1785, it was exceedingly difficult for the small pioneer farmer to find the necessary $640 to buy a section of land. As a result, land speculators were able to obtain possession of large areas of the national domain northwest of Ohio.

The anxiety of the land speculators to take possession of their lands, and to attract settlers, helped to hurry through Congress the famous Ordinance of 1787, which provided for the government of the territory northwest of the Ohio. This is also known as the NORTHWEST ORDINANCE. It passed Congress on July 13, 1787, and was one of the main contributions of the Confederation to future American development. It envisioned the division of the land between the Ohio and the Mississippi into not more than five, nor less than three states. These states would enter the Union on an equal basis with the older states, but first were to pass through three stages.

In the first stage, a new area would be completely dependent upon Congress, with that body appointing a governor, a secretary, and three judges. The second stage of government would begin when the adult male population reached 5,000. At that time, the territory could elect its own representative assembly to form a lower house of the territorial legislature. The upper house would consist of five men who would be chosen by Congress from a list of ten submitted by the representative assembly. This territorial legislature could pass laws, subject to the veto of the governor. Also, in this second state, the territory could send a delegate to Congress. He would be able to speak, but not to vote.

Finally, when the population reached 60,000 the territory could frame a constitution and apply for admission to the Union on a basis of equality with the older states. This Northwest Ordinance of 1787 also provided a bill of rights, which guaranteed the settlers freedom of religion, trial by jury, and freedom from arbitrary arrest. Vital for the later development northwest of the Ohio was the prohibition of slavery in that region.

In enacting the Ordinances of 1785 and 1787, the Confederation prepared the way for the orderly settlement of the Old Northwest, and set up a pattern for expansion throughout the whole American continent. The land between the Ohio and the Mississippi was not settled without difficulty. The Indian people fought bravely for their rich homelands; and until General Anthony Wayne's victory at Fallen Timbers on Aug. 20, 1794, American settlers had difficulty in advancing across the Ohio in the face of the Indians, who were being assisted by the British in Canada.

Wayne's victory, and the Treaty of Greenville in the following year, opened the way for a rush of settlers into the region northwest of the Ohio. These settlers were encouraged by modifications in the system of land sale. In 1800 a system of credit was established by which a minimum of 320 acres (reduced to 160 acres in 1804) could be purchased at $2.00 per acre, with one-fourth down and the remainder to be paid within four years. Although the system of credit was to be abandoned in 1820, it gave the small farmer ample opportunity to advance into the northwest in the first two decades of the 19th century.

By 1800 it became necessary to divide the Northwest Territory; and the area west of a line running north from the junction of the Kentucky River with the Ohio became the Indian Territory. In 1803 in the eastern portion, Ohio entered the Union; and new settlers were passing into the Indian Territory, which in turn was divided in 1805 to create the Michigan Territory. The Indian Territory was still further divided in 1809, when a separate territory of Illinois was created.

The advance of the frontier beyond Ohio brought renewed Indian problems. A confederacy led by the Shawnee Tecumseh grew in power after 1805; and was not dispersed until William Henry Harrison's victory at Tippecanoe on Nov. 7, 1811, and the victories of the Americans during the War of 1812.

This brought a new surge of population into the northwest, and Indiana and Illinois gained enough population to come into the Union as states in 1816 and 1818 respectively. Michigan Territory did not grow rapidly until the 1830's, but was able to join the Union in 1837. Wisconsin, which had become a territory in 1836, finally had enough population to be admitted to the Union in 1848.

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* Information in this article comes from the textbook "History of the Indians of the United States," by Angie Debo; and Volume 17 of Collier's Encyclopedia, copyright 1975.

TREATY OF FORT LARAMIE, 1851

The first treaty involving the Gros Ventre and Assiniboine was the Treaty of September 17, 1851 at Fort Laramie. At that time, the Gros Ventre at Fort Belknap were a part of the Blackfoot Nation, and were treated with them. The Assiniboine were treated separately. The Treaty of 1851 was designed to establish and confirm peaceful relations among the participating Indian Nations.

Articles 1, 2, and 3 are quoted:

Article 1: The aforesaid nations, parties to this treaty, having assmebled for the purpose of establishing and to forming peaceful relations amongst themselves, do hereby covenant and agree to abstain in future from all hostilities whatever against each other, to maintain good faith and friendship in all their mutual intercourse, and to make an effective and lasting peace.

Article 2: The aforesaid nations do hereby recognize the right of the United States Government to establish roads, military and other posts, within their respective territories.

Article 3: In consideration of the rights and privileges acknowledged in the preceding article, the United States bind themselves to protect the aforesaid Indian Nations against the commission of all depredations by the people of the said United States, after the ratificatoin of this treaty.

Article 5 described the boundaries of the respective tribes participating in this Treaty, and the boundaries of the Blackfeet and Assiniboine tracts of country are quoted here:

The territory of the Assiniboine Nation, commencing at the mouth of the Yellowstone River; thence up the Missouri River to the mouth of the Mussell Shell River; thence from the mouth of Mussell Shell River in a southeasterly directoin until it strikes the head-waters of Big Dry Creek; thence down the creek to where it empties into the Yellowstone River, nearly opposite the mouth of Powder River, and thence down the Yellowstone River to the place of beginning.

The territory of the Blackfeet Nation commencing at the mouth of the Mussell Shell River; thence up the Missouri River to its source; thence along the main range of the headwaters of the northern source of the Yellowstone River to the mouth of Twenty-five Yard Creek; thence across to the head-waters of the Mussell Shell River, and thence down the Mussell Shell to the place of beginning.

Article 7 described the considerations paid by the United States.

Article 7: In consideration of the Treaty stipulations, and for the damages which have or may occur by reason thereof to the Indian Nations, parties hereto, and for their maintenance and the improvement of their moral and social customs, the United States bind themselves to deliver to the said Indian Nations the sum of fifty thousand dollars per annum for the term of ten years, with the right to continue the same at the discretion of the President of the United States for a period not exceeding five years thereafter, in provisions, merchandise, domestic animals, and agricultural implements, in such proportions as may be deemed best adapted to their condition by the President of the United States, to be distributed in proportion to the population of the aforesaid Indian Nations.

TREATY OF 1855

On October 17, 1855, a treaty was negotiated with the Blackfeet by Isaac I. Stevens, Commissioner for the United States Government, calling for perpetual peace between the United States and the tribes of Indians signing the treaty. The treaty also called for peaceful relations to be maintained among the several tribes themselves. In this treaty, the Gros Ventre were treated as a part of the Blackfoot Nation; and Article 4 of the treaty provides also that the Assiniboine shall have the right of hunting, in common with the Blackfeet.

The treaty contained two main parts: one which described a common hunting ground, and another which described certain territory belonging strictly to the Blackfoot Nation; and these are quoted.

Article 3: BLACKFOOT TERRITORY RECOGNIZED AS COMMON HUNTING GROUND.

The Blackfoot Nation consent and agree that all that portion of the country recognized and defined by the Treaty of Laramie as Blackfoot territory, lying within lines drawn from the Hell Gate or Medicine Rock Passes, in the main range of the Rocky Mountains, in an easterly direction to the nearest source of the Mussell Shell River, thence to the mouth of Twenty-five Yard Creek, thence up the Yellowstone River to its northern source, and thence along the main range of the Rocky Mountains in a northerly direction, to the point of beginning, shall be a common hunting ground for ninety-nine years, where all the nations, tribes, and bands of Indians, parties to this treaty, may enjoy equal and uninterrupted privileges of hunting, fishing and gathering fruit, grazing animals, curing meat and dressing robes. They further agree that they will not establish villages, or in any other way exercise exclusive rights within ten miles of the northern line of the common hunting grounds, and that the parties to this treaty may hunt on said northern boundary line and within ten miles thereof.

PROVIDED, that the western Indians, parties to this treaty, may hunt on the trail leading down the Mussell Shell to the Yellowstone; the Mussell Shell River being the boundary separating the Blackfoot from the Crow territory.

Article 4: CERTAIN TERRITORY TO BELONG TO THE BLACKFOOT NATION.

The parties to this treaty agree and consent, that the tract of country lying within lines drawn from the Hell Gate or Medicine Rock Passes, in an easterly direction, to the nearest source of the Mussell Shell River, thence down said river to its mouth, thence down the channel of the Missouri River to the mouth of the Milk River, due north to the forty-ninth parallel, thence due west on said parallel to the main range of the Rocky Mountains, and thence southerly along said range to the place of beginning, shall be the territory of the Blackfoot Nation, over which said nation shall exercise exclusive control, excepting as may be otherwise provided in this treaty. Subject, however, to the provisions of the third article of this treaty, giving the right to hunt, and prohibiting the establishment of permanent villages and the exercise of any hunting ground, drawn from the nearest source of the Mussell Shell River to the Medicine Rock Passes, for the period of ninety-nine years.

PROVIDED ALSO, that the Assiniboines shall have the right of hunting, in common with the Blackfeet, in the country lying between the aforesaid eastern boundary line, running from the mouth of the Milk River to the forty-ninth parallel, and a line drawn from the left bank of the Missouri River, opposite the Round Butte, north to the forty-ninth parallel.

The Blackfeet were to receive $20,000 annually for 10 years in such useful goods as the President might determine, and $15,000 annually to be spent by the United States in establishing the Blackfeet in agriculture and in instructing them in agriculture and mechanical pursuits, and in educating their children. "And the United States is hereby bound to protect said Indians against depredations and other unlawful acts which white men residing in or passing though their country may commit."

ACT OF APRIL, 1874

On April 15, 1874, Congress passed an act which redescribed the boundaries and established a reservation for the Blackfeet, Gros Ventre, Piegan, Blood, and River Crow:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the following described tract of country, in the Territory of Montana, be, and the same is hereby, set apart for the use of occupation of the Gros Ventre, Piegan, Blood, Blackfoot, River Crow, and such other Indians as the President may, from time to time see fit to locate thereon, viz: Commencing at the northwest corner [illegible]he Territory of Dakota, being the inter-section of the forty-ninth parallel of north latitude and the one hundred and fourth meridian of west longitude; thence south to the south bank of the Missouri River; thence up and along the south bank of said river to a point opposite the mouth of the Maria's River; thence up the main channel of Birch Creek to its source; thence west to the summit of the main chain of the Rocky Mountains; thence along the summit of the Rocky Mountains to the northern boundary of Montana; thence along said northern boundary to the place of beginning.: Approved April 15, 1874."

By this act, the tribes had relinquished all claim to the area between the M"ssell Shell and Missouri Rivers. An area was added from a line running north from the mouth of the Milk River to the forty-ninth parallel, easterly to the one hundred and fourth meridian of west longitude from the south bank of the Missouri, to the forty-ninth parallel. The one hundred and fourth meridian is now the Montana-North Dakota state line.

ACT OF MAY 1, 1888

On May 1, 1888, an act was passed which placed the Indian Tribes on separate reservations, the Gros Ventre and Assiniboine who were receiving rations at Fort Belknap Reservation being assigned to the Fort Belknap Reservation. In justifying this action, the Congress made the following statement:

"Whereas the reservation set apart by the Act of Congress approved April 15, 1874, for the use of and occupancy of the Gros Ventre, Piegan, Blood, Blackfoot, River Crow, and such other Indians as the President might, from time to time, see fit to locate thereon is wholly out of proportion to the number of Indians occupying the same, and greatly in excess of their present or prospective wants, and whereas the said Indians are desirous of disposing of so much thereof as they do not require, in order to obtain the means to enable them to become self-supporting, as a pastoral and agricultural people, and to educate their children in the paths of civilization; the said Indians hereby cede and relinquish to the United States all their right, title, and interest in and to all the lands embraced within the aforesaid Gros Ventre, Blood, Piegan, Blackfoot, and River Crow Reservation, not herein specifically set apart and reserved as separate reservations for them, and do severally agree to accept and occupy the separate reservations to which they are herein assigned as their permanent homes, and they do hereby severally relinquish to the other tribes or bands respectively occupying the other separate reservations, all their rights, title, and interest in and to the same, reserving to themselves only the reservation herein set apart for their separate use and occupation. It is hereby agreed that the separate reservation for the Indians now attached to and receiving rations at the Fort Belknap Agency shall be bounded as follows, to wit:

"Beginning at a point in the middle of the main channel of the Milk River, opposite the mouth of Sanke Creek; thence due south to a point due west of the westerly extremity of the Little Rocky Mountains; thence due east to the crest of said mountains at their western extremity, and thence following the southern crest of said mountains to the eastern extremity thereof; thence in a northerly direction in a direct line to a point in the middle of the main channel of the Milk River opposite the mouth of Peoples Creek; thence up the Milk River in the middle of the main channel thereof, to the place of beginning.

PROVIDED, that the Secretary of the Interior may, in his discretion, set apart a tract of land, within said reservaton, not to exceed one hundred and sixty in extent, for the establishment and maintenance of an Indian mission and industrial school, under the auspices of the Society of Jesus, to include the site of their present mission buildings; but such privilege shall not debar or exclude other religious societies from establishing Indian missions and schools within said reservation, under direction of the Secretary of the Interior.

Dated and signed at Fort Belknap Agency, Montana, on the twenty-first day of January, eighteen hundred and eighty-seven."

ACT OF JUNE 10, 1896

By an Act of June 10, 1896, an agreement was ratified wherein the Indians of the Fort Belknap Reservation ceded a portion of their reservation in the Little Rocky Mountains back to the United States. This came as the result of the discovery of gold in that particular area. Mining claims had been staked all over the area without any regard for the fact that it was an Indian reservation. According to Agent J.M. Kelley's report of August 18, 1894, one mine, it was reported, had removed $75,000 worth of gold from a clandestine operation within the reservation. The following quotation is taken from the same annual report:

"During a recent visit of an Indian Inspector here, this matter was thoroughly gone over with the head men of both tribes, and they unanimously agreed not to consider the diminishing of their present holdings here under any circumstances. They claim that under the treaty made by them January 1, 1887, they were given every assurance and promise that the lands they were about to take as their reserve should be their permanent homes; that the consummation of this treaty by the Government was a guarantee that they and their posterity should never be disturbed in the enjoyment of these mountains and valleys. In my judgement the wishes of the Indians in this matter should prevail. It will only remain for the lapse of three years before the expiration of the present treaty stipulations. By that time there will not remain sufficient timber on the river to warm a single cabin, and they necessarily have to look to their mountains for fuel. They claim they are now making strenuous efforts to become self-supporting, and that the taking away of their mountains will deprive them of the principal means to attain this end. They also claim, and with a degree of assurance, that their children are now learning aptly the various trades of the whites, and at the proper time their posterity can work these mines to the best tribal advantage. I submit their wishes in the matter to your kind consideration."

A commission was appointed to negotiate with the Indians of Fort Belknap for the surrender of the Little Rockies. This commission was composed of William C. Pollack, George Bird Grinnell, and Walter M. Clements. Mr. Clements became ill and returned home, so was not involved in the negotiations. The commission reached the reservation on Sunday, September 29, 1895, and made a trip to inspect the lands to be ceded to ascertain their extent and

to obtain a description. The agent was asked to notify the Indians that a council would be held on the following Saturday, October 5th. A council meeting was held on that date, and also on October 7th and 8th, and concluded October 9, 1895, with the signing.

A careful review of Document No. 117 of the 54th Congress of the United States leads one to believe a certain amount of coercion and intimidation were utilized by government representatives Pollock and Grinnell in negotiating the purchase of this land from the Indians; land which Pollack and Grinnell knew at the time was rich in mineral resources. Quoting directly from the proceedings of the Council, Mr. Pollock addressed the Indians on October 7th, through an interpreter, as follows:

"We are not here to try to force you to sell any of your land. We are willing to advise you what we think will be for your best good to do. We told you on Saturday that we saw no way for you to get beef cattle, flour, wagons, or anything else after your present agreement expires, unless by the sale of some more of your land. We still believe this is the best plan for you. If the majority, the most of you do not think this, all we can do is go back to Washington without having done anything. If we do this and you come to the Agent three years from now and ask him for something to eat, or for a wagon, or some cattle, you will be very much disappointed when you can not get it. If then, you go back to your women and babies without anything, and they are crying for something to eat, you will be sorry that you did not think better at this time.

"The land which some of you are ready to sell is not used by anybody."

Mr. Grinnell then addressed the Indians as follows:

"I see that some of you people are pretty blind; you can't see far. You see the things that are close to your face, but the things that are farther off you can't see at all. You are like people looking through a fog — you see things nearby, but the things far off are hidden. You think that because for seven or eight years you have had plenty to eat and have lived well, and for the next year or two you are going to have plenty to eat, that it will always go on like that. That is not true; it is not going to last. I go about among different people and see them, how they farm; I don't see anybody as poor as you people."

"Two years from now if you don't make any agreement with the government, you will just have your cattle and then you will have to starve. It makes me feel badly to think of this. If you sell some of this land and get money enough to keep you going for some years longer, and then work and take care of your cattle, after that you will be like white people and be able to take care of yourselves."

Many of the Indian people were opposed to ceding any part of their reservation, and remained adamant to the end of the council. On the morning of October 9, 1895, the agreement had been drawn up as desired by the government, and the Indians were asked to sign. The Assiniboines were more agreeable to the ceding, and 151 of them affixed their signatures. Only 37 Gros Ventres signed. The Agent, Luke Hays, certified that there were 181 male adult Assiniboines and 153 male adult Gros Ventres for a total of 334 eligible signers. The 188 signers were a majority.

Article 1 of the agreement is quoted:

"The Indians of the Fort Belknap Reservation hereby convey, relinquish, and release to the United States all their right, title, and interest in and to that portion of their present reservation, in the State of Montana, lying and being within the following described lines, to-wit: Beginning at the 54 miles boundary monument, at a point about the middle of the crest of Mission Butte, and following a straight line, bearing (magnetic) north 17 degrees 30 minutes west, to the highest point on a limestone ridge on the south side of the north fork of People's Creek, and running at right angles to the course of said creek at this point; thence in a straight line, bearing (magnetic) north 2 degrees 45 minutes west, to a rounded, timbered knob on the crest of the limestone reef on the north side of the north fork of People's Creek, and parallel with its general course; thence easterly following the crest of the last mentioned limestone reef north of the north fork of People's Creek, to a low rounded hill on said limestone reef, where it dips down to the valley of Lodge Pole, or Red Mountain Creek; thence in a straight line, north 74 degrees east (magnetic) to the wooded limestone ridge known as Travois Butte, where a line drawn from the summit of Granite Butte (the peak south of the 61½ mile boundary monument) north 15 degrees east (magnetic) would intersect it; thence along said straight line to the southern boundary line of the present reservation; thence along said southern boundary line of the present reservation to the point of beginning."

REORGANIZATION ACT

The Indians of the Fort Belknap Reservation accepted the Indian Reorganization Act, and adopted a constitution and by-laws which were approved in 1935. They were chartered under the name of the Fort Belknap Indian Community of the Fort Belknap Reservation, Montana, 1937.

The council is composed of six Assiniboine and six Gros Ventre members. Six council members are elected every second year by popular vote. Each member serves a term of four years.

The council is empowered to act on the financial aspects of economic development, land acquisition and improvements, and programs designed to increase the number of profitable beef cattle enterprises operated by tribal members.

TERMINATION ACT

Opposition to the New Deal reforms burst forth in the early 1950's with a force seriously threatening the elimination of tribal sovereignty. The U.S. House of Representatives Concurrent Resolution 108 of 1953 — not a law, but merely an expression on Congressional desire — called on the Bureau of Indian Affairs to draw up lists of tribes which were economically self-sufficient enough to do without federal services, and to "terminate" such tribes, not only with respect to federal services, but also with respect to federal recognition of tribal governments and tribal immunity from state taxation. In effect, tribal sovereignty was to end for the most economically successful of the tribes.

This proved to be disastrous to the few tribes which were self-sufficient. Their prosperity rapidly declined, and finally, in 1968, the last of the Indian tribes was "de-terminated," with the restoration of all their tribal rights.

PUBLIC LAW 280

In 1953, in concurrence with the policy of termination, came a program based on Public Law 280, designed to remove federal protections and permit states to extend their laws to Indian lands. The most outstanding feature of Public Law 280 was that it permitted states to assume jurisdiction over Indian lands without the consent of Indian tribes, and without consultation with them.

California, Oregon, Nebraska, Wisconsin, and Minnesota took advantage of the law, with the Red Lake Reservation exempted in Minnesota, and some tribes in Nebraska later receiving exceptions. In these states, the sovereignty of tribes to which Public Law 280 has been applied remains restricted. But court decisions in the 1970's have limited the application of the state jurisdiction to criminal cases.

In the 1976 case of Bryan vs. Itasca County, the U.S. Supreme Court denied states the power to tax property on reservations subject to Public Law 280 prior to 1968. The assumption of state jurisdiction over reservations has been made more difficult by a provision in the Indian Civil Rights Act of 1968, which requires tribal consent.

INDIAN CIVIL RIGHTS ACT OF 1968

In April of 1968, Congress passed and the President signed the Civil Rights Act of 1968. Within that act there were six sections which dealt specifically with Indians.

In Section 202 (1-9, 10) the comparison with the first eight amendments can be made. Number 1 is patterned after the First Amendment, the biggest difference being the omission of the prohibition on establishment of religions. This simply means that Indian governments can be run by a church-related council. The Pueblo in Arizona are a good example of this type of tribal council.

Number 2 is a fairly complete repetition of the Fourth Amendment, and applies all the standards of search and seizure and warrants for arrests and search to the actions of tribal officials.

Numbers 3, 4, and 5 of the act make applicable to the tribe portions of the Fifth Amendment (double jeopardy, the privilege against self-incrimination, and immunity from tribal seizure without just compensation). The grand jury requirement is omitted. Also, the due process clause is incorporated as part of Number 8.

Numbers 6 and 7 cover the Sixth and Eighth Amendments. Number 6 states that there is no right to an impartial jury, and instead of the right to assistance of counsel, there is a right to the assistance of counsel at the defendant's own expense. Number 7 follows the Eighth Amendment (cruel and unusual punishment, no excessive bail, no excessive fines), and adds that tribal courts will be limited to penalties of no more than six months and fines of no more than $500.00.

Number 8 incorporates the equal protection and due process clauses of the Fourteenth Amendment, but only as they apply to persons within the tribes' jurisdiciton. Moreover, "life" is omitted from the list of items (life, liberty, and property) where due process is mandatory.

Finally, Number 10 guarantees the right to a jury trial in a case where imprisonment is possible. This is different from the Seventh Amendment's broader language, which provides the right to jury trial in all criminal prosecutions.

This Civil Rights Act allows the Indian peoples to receive all rights accorded by the federal government, plus allowing them to remain separate. The tribal courts are accorded more authority and a broader jurisdiction. These jurisdictional matters are backed up by previous court proceedings, such as *Colliflower vs. Garland* and *Native American Church vs. Navajo Tribal Council.* The Colliflower case tested the legality of detention by a tribal court, and the Native American Church case had the courts throw out a suit in which the tribe had been trying to enforce an anti-peyotism ordinance. In both cases, it was proven that the tribal courts had proceeded fairly and legally.

SELF-DETERMINATION ACT

Section 102 – allows the Secretary of the Interior to make contracts with Indian tribes within his respective areas.

Section 103 – allows the Secretary of Health, Education, and Welfare to make contracts with Indian tribes within his respective areas.

Section 104 – allows the Secretary of the Interior to issue grants for Indian tribes concerning tribal governments.

Section 105 – allows all personnel who work for a tribal organization all the rights and privileges of employees of the federal government.

Section 106 – All contracts shall go by federal guidelines, but will still be overseen by the appropriate Secretary.

Section 107 – The Secretaries of the Interior and of Health, Education, and Welfare are to meet with regional tribal leaders and create rules and regulations for contractual work. They will also issue these rules and regulations within one month after the meeting.

Section 108 – Indian organizations who have received contracts or grants must report annually on how the money was spent and the progress made on the project.

Section 109 – If the contract or grant is rescinded, the tribal organizations can reapply after the rescinded reasons are taken care of.

Section 110 – This act shall not affect the sovereignty of tribes or terminate existing trust responsibilities of the United States.

INDIAN EDUCATION — ACTS OF LEGISLATION

Over the years, there have been laws passed that were designed to benefit all Indian Nations. The following are some of the major ones:

I. INDIAN EDUCATION ACT OF 1972

The Indian Education Act was signed into law by President Nixon on June 23, 1979, becoming Public Law 92-318. The Indian Education Act was brought into being because of the shameful condition and the statistics which describe the lack of educational opportunities for Indian children and their elders. The act provides federal assistance in education, over and above the limited funds appropriated annually for Indian education programs in the Office of Education. It is headed by the Deputy Commissioner for Indian Education, who reports directly to the commissioner.

The National Advisory Council for Indian Education, also created under the act, provides policy direction and guidance to the Congress and those responsible for implementing the act. The Indian Education Act of 1972 (IEA) thus holds promise for the Indian people to be able to realize enriched educational opportunities, funded annually by Congressional appropriations.

II. JOHNSON O'MALLEY ACT (JOM)

The Johnson O'Malley Act of 1934 is a federal education program which was designed to benefit the Indians. The law, as currently administered, is intended to provide federal funds to states to enable them to educate eligible Indian children in their public school system. All children of one-quarter Indian ancestry whose parents live on or near Indian reservations under the jurisdiction of the Bureau of Indian Affairs are eligible for assistance.

III. INDIAN SELF-DETERMINATION AND EDUCATION ASSISTANCE ACT *

Statement of the president upon signing the bill into law, January 4, 1975:

"Title II, The Indian Education Assistance Act, amends the Johnson O'Malley Act to give the Indian community a stronger role in approving or disapproving the use of funds for children in public schools. It also provides for better planning in the use of these funds to meet the educational needs for the Indian students.

The enactment of this legislation marks a milestone for Indian people. It will enable this administration to work more closely and effectively with the tribes for the betterment of all the Indian people by assisting them in meeting goals they themselves have set."

Each one of these laws provides funding to assist in the education of the Indian. One thing that must be remembered here is that these acts of legislation are not a privilege or a favor to the Indian, but merely a responsibility being carried out. Over 400 treaties were negotiated with Indian Nations, and of those, almost all have special clauses referring to the *rights* of the Indian to education, and the *responsibilities* of the federal government to provide this education.
the *rights* of the Indian to education, and the *responsibilities* of the federal government to provide this education.

* Taken from the Indian Education Act of 1971; the Johnson O'Malley Act; and the Indian Self-Determination and Education Assistance Act.

ALTERNATIVE EDUCATION

Several alternative school systems for Indian students have been established in recent years. These alternative school systems are a result of the failure on the part of local school systems to meet the needs of Indian students. This failure not only causes a high drop-out rate among the Indians, but also results in increasing the number of Indians in reform schools and other correctional institutions.

These Alternative school systems are responding to Indian students who no longer believe that "Columbus discovered America," or that their ancestors were "murderers and savages. These students are seeking the truth about their heritage. They want to learn their cultural and traditional practices and beliefs. These alternate educational systems not only provide the student with curriculum based on Indian principles, but also offer the general studies that are required by law.

These alternate educational systems not only provide the student with curriculum based on Indian principles, but also offer the general studies that are required by law.

Furthermore, it is not only the drop-outs who attend these alternative schools, but other students as well — students who possess a deep interest in the history and culture of their own people.

These students are taught by very well-trained and knowledgeable teachers; teachers that have every qualification for teaching Indian students (i.e., patience, time, kindness, and an understanding of Indian people and their culture, to name a few).

These alternative school systems have been highly successful. This success is attributable to the fact that the schools adhere to the needs of the students. The success of these schools may also be attributed to the fact that there is no prejudice or discrimination directed toward the students. The schools provide an atmosphere in which the students can cope.

The following is a list of four of the alternative educational systems that have been partially subsidized by Title IV, the Indian Act of 1972:

I. THE TWO EAGLE RIVER SCHOOL *

The Two Eagle River School of the Confederated Salish and Kootenai Tribes of the Flathead Indian Reservation in Dixon, Montana, was established in response to the exceedingly high drop-out rate of Indian students attending local schools. Many students have selected this school as the only means of completing their high school education.

The Two Eagle River School provides an educational alternative to Salish and Kootenai students who have dropped out of local schools. The school uses instructional materials that are culturally relevant to the Flathead Indian culture.

II. THE SHOSHONE-BANNOCK ALTERNATE EDUCATION PROGRAM *

The Shoshone-Bannock Alternate School Program, located in Fort Hall, Idaho, was established by the Shoshone-Bannock Tribes for Indian children between 13 and 18 years old who have dropped out of the local school system.

The high retention rate of these students demonstrates both the need for and the success of the Shoshone-Bannock Alternate School. The School, which was created solely to meet the special educational and cultural needs of the Shoshone-Bannock children, has filled an educational vacuum for the tribe.

III. THE HEART OF THE EARTH SURVIVAL SCHOOL *

The Heart of the Earth Survival School, located in Minneapolis, Minnesota, was established in 1971, mainly by Clyde Bellcourt and Ojibwa Indians from the White Earth Reservation in Minnesota.

The school has acted as an alternative to both the local educational institutions and the correctional system of the state of Minnesota by addressing adequately Indian culture, history, and religion. Also, the school has played a unique role in the determination of parental rights through the establishment of more than fifty Indian licensed foster homes.

The Heart of the Earth Survival School is highly successful in keeping Indian students in school and out of state correctional facilities.

IV. THE TULSA INDIAN YOUTH COUNCIL *

The Tulsa Indian Youth Council, an Indian educational program located in Tulsa, Oklahoma, was chartered as a non-profit organization in 1972. The goals of the Council are stated as follows:

(1) To provide educational, cultural, and charitable assistance to youth;

(2) To enhance and promote general educational opportunities among members of the Youth Council;

(3) To promote the common welfare of Indian youth within Tulsa, as well as those elsewhere;

(4) To enlighten the general public toward a better understanding of the American Indian.

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* Taken from "Education For Indian Survival As a People: A Goal for the 1980's;" and "The Seventh Annual Report to the Congress of the United States."

NATIONAL INDIAN WATER RIGHTS

The doctrine that Indians have a special type of reserved water right had its beginnings in 1908, when the Supreme Court held in WINTERS vs. UNITED STATES that, with the creation of an Indian reservation in a western state, a water right came into being; a right that would enable the Indians to live on the land of the reservation.

In those states with an arid climate, the presence of more land than water, of more demand than supply, makes water a limiting factor on development, and gives it an unusual importance. To the extent that Indians have the right to use the waters of western streams for the extraction and processing of minerals on Indian lands, mineral development is made more feasible. When outside aid is enlisted, the combination of mineral rights and water rights may make a very attractive package for a developer.

The nature of the reserved right is well illustrated by Winters itself. In 1874, Congress set apart and reserved a very large area of land in Montana for several northern and Great Plains tribes. On May 1, 1888, the Indians by agreement "ceded, sold, transferred, and conveyed" to the United States all the land, except the present Fort Belknap Indian Reservation. The middle of the Milk River was made the northern boundary of the reservation.

Most of the land was suitable for grazing, some of it for irrigated agriculture. The ceded land was opened to settlement, and upstream from the reservation, portions of it came into the hands of several individuals and a cattle company. They appropriated, under the laws of Montana, enough water from the river to irrigate about 5,000 acres of hay and grain.

In 1898, an Indian project was constructed to irrigate 5,000 acres of hay, grass, and vegetables. The withdrawals off the reservation, however, left insufficient water for this project. The United States brought suit, alleging it had a superior right to the water, and averring that it had been enabled, by means of the project, to train, encourage, and accustom large numbers of Indians residing upon the reservation to habits of industry, and to promote their civilization and improvement.

The Supreme Court affirmed an order enjoining the defendants from interfering in any way with the use of the water for the reservation project. Although Montana law and western water law is general, the defendants would have had prior right by virtue of their first application of the water to beneficial use.

But that law did not apply to the water in question. The water had been reserved when the Indian land was reserved,and that reservation gave the Indians a superior right over the prior water users. The water which had previously irrigated the off-reservation land had to be re-diverted to the Indian land.

From this it can be seen that the Indian water rights available for mineral development may bring serious conflict with other water users. The Indian right is very different form the usual type of western water right, which sustains the beneficial use of water for irrigation, municipal, and industrial purposes.

Indian and non-Indian water rights are of entirely different origin, and are governed by different laws. Indian water law — at least that part known as reserved rights or Winters Doctrine rights — is federal law, over which the courts of the United States have final say. The western water law which governs most other uses is the state law of prior appropriation. In the overall picture of water use today, Indian uses are exceptions to the general rules. They stand out in stark contrast to a background of state law.

Winters Doctrine rights prose a real threat to people who rely on the streams to which they apply. The possibility that Indian water rights will emerge as active claims to water, that Indians will call for large quantities they have never used, may mean that much of the water now being used for non-Indian purposes must be turned to new Indian uses.

Since little settlement had taken place before most reservations were established, the Indian reserved rights are on the whole prior to and superior to the off-reservation appropriations. Yet the descendants and successors of the pioneer farmers and ranchers who settled the public domain have made water scarce in most of the west. They have put it to use in extensive development and large projects, while most Indian rights have lain dormant. In other words, the Indians have had the water rights, but now the white men have the water.

Inevitably, this will change. Simply because the off-reservation users have appropriated all of the water (or all of the easily available water), the Indian rights are not to be denied, and no Indian development stymied. On the contrary, it is safe to predict a definite increase of water consumption on Indian reservations, which will mean a decrease in off-reservation uses and opportunities for development.

There is evidence that the mere shift from a remote threat to an imminent one has already caused some off-reservation water rights to lose value, because they have been reduced in certainty. The Indian right can thus cause harm even before there is an actual clash over water. When an increase in the actual consumption of water by Indians does come, it will in some cases cause a reduction in the value of land. In others, the loss of investment will be seen in unamortized works; and in still others, it will create the necessity for expensive new works, such as dams to store water and conduits to bring replacement water from far sources.

In addition to the damage to private property rights built up under the appropriation system, harm will occur to the system itself. Most states have long had the power to deny an application for a permit because the proposed appropriation would not be in the public interest. But only recently has there been an active attempt to use this power to control the direction of development and its impact on the environment. Today, state water plans are regarded as a necessary feature of water administration. The existence of Indian rights presents a real possibility of large future uses of water outside this system.

These financial and political threats mean that the exercise of Indian rights will be met with resistance, and that litigation is to be expected. A legislative solution providing a permanent cure for these ills must await Congressional action. In 1973 the National Water Commission recommended financial measures that would help the Indian to develop his rights and ease the shock to the appropriators. But this idea has not taken hold. The problem seems of sufficient magnitude, however, to offer hope for a solution in the relatively near future.

Some good will come from the current movement toward litigation. Indian water law still has many uncertainties to be removed. The United States Supreme Court has settled few points with finality, since only four cases touching Indian water rights have come before it. The lower federal courts, particularly the Court of Appeals for the Ninth Circuit, have built up a small body of Indian water law, which has been added to by state supreme courts when they are called upon to decide cases on federal principles.

As the following sections show, a good deal is known about the priority, purposes, and quantity of Winters Doctrine rights, and the lands and waters to which they attach. And yet a good deal remains to be decided in future cases. The long period of quiescence gives scope to the controversy. We know that in many respects, Indian rights are very different from appropriative rights. State laws, such as those requiring a permit, have no application to them. They exist without being exercised, and are not abandoned or forfeited by non-use. They cannot be claimed on a dog-in-the-manger basis; when the Indian rights are not in use, the water may be taken and used by others having inferior rights. We are not sure how much they resemble other types of water rights. We know they must be exercised with due regard to reasonable standards of efficiency. They cannot be wasted. But we do not know how much the Indian must adjust his claims and uses to accommodate non-Indian users.

There are indications that consideration will be given to the problems of the off-reservation people. The most recent United States Supreme Court case held that the Indian's water rights must be adjudicated by a state court in order to have a unified order of priorities.

In other resource fields, Indian rights have been held to have limits. In the recent Puyallup II case, the Supreme Court held that the fishing rights of Indians must be exercised with consideration for the conservation needs of the river, and that the aim of the court would be to accomodate the treaty rights of the Indians with the rights of other people. In the oil and gas field, the holder of Indian mineral rights was held to have an implied duty to prevent waste.

Finally, if Indians are to translate their "dry" paper water rights into "wet" water in actual use in the main and the processing plant, both Indians and development companies must recognize every use that threatens to bring a lawsuit, and every uncertainty in the law, as a challenge to be overcome by negotiation and draftsmanship. Areas of controversy are pitfalls to be avoided, and every effort should be made to stay within bounds of certainty and avoid conflict.

Indian water uses for mineral development will be but a small fraction of total Indian water use. It will require that the Indian water rights be pushed to their limits. With compromise and cooperation, they can be utilized so as to do the least harm and to arouse the least opposition.

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* Information taken from "Indian Water Rights for Mineral Development; Morris Merrily Water Report."

NATIONAL INDIAN FORESTRY HISTORY

Forestry on Indian lands first began on January 22, 1908, when the Indian Service of the Department of the Interior and the Forest Service of the Deparment of Agriculture made an agreement that gave the Forest Service supervision of Indian forest lands. This agreement provided for:

(1) The sale of timber and the supervision of logging on Indian reservations, using methods which would improve the forest and yield the full market value of all the timber cut;

(2) The protection of all forests on Indian reservations, whether or not they were being used;

(3) A study of the forests on Indian reservations, to determine the best permanent use of the lands upon which they grew; and management plans for these lands which were most valuable for forest uses.

Number Three of the agreement was never enacted, because of insufficient funding from the Department of Interior, and because of the brief period of the agreement.

The purpose of the cooperative agreement was to induce better administration of Indian forest lands. The Interior Department believed it did not have the know-how to properly manage these lands, so the resonsibility was passed on to the Forest Service of the Agriculture Department. Their agreement with the Forest Service was mainly for supervision of forestry personnel, and any salaries and expenses were paid by the Indian Service.

This agreement did not make the administration of forestry on Indian lands more efficient. With the two departments both having a say in matters pertaining to the forestry lands, there arose a large amount of the so-called "red tape" usually associated with any government agency.

For example, if the U.S. agent in charge of the different reservations wanted to submit a request to cut timber for agency use on Indian lands, he had to send the request to the Chief Forester's office. He in turn then sent the request to the district forester, who approved or disapproved the timber cutting. This decision was then sent back to the chief forester, who sent it on to the commissioner, who then notified the reservation agent of the decision.

In November, 1908, the Forest Service offered to handle such requests directly from the reservation agents, in order to eliminate extra correspondence. But the Indian Service declined.

Inadequate funding for the administration of Indian forests continued to be a problem under the cooperative agreement. Detailed forest studies were possible for only a few heavily forested reservations. Two of these were the Flathead and the Northern Cheyenne in Montana. Reservations like Fort Belknap, with smaller areas and little commercial timber, received only small benefits from the short-lived cooperative agreement.

The forest on the Fort Belknap Reservation was adjacent to the Little Rockies National Forest (the land ceded by the Indians in 1896), and was included in a Forest Service inspection just one month after the inauguration of the cooperative agreement. The report stated that timber cutting on the Fort Belknap Reservation in most cases wasted valuable material under the cooperative. The Forest Service had to report the problem to the Indian Service, and asked if funds were available to have the reservation timberlands examined by a member of the Forest Service. The examination was made in order to formulate plans for administering the timberlands in relation to the adjoining National Forest.

The Indian Service declined the Forest Service's offer, stating that funds were not available for this purpose. The Forest Service therupon simply included the reservation forest in their general inspection tours of the adjacent Little Rockies National Forest. When the next inspection of Fort Belknap occurred in September of 1980, timber was still being wasted. Forest Assistant John F. Preston reported a bad slash, poor utilization, and nearly 50 percent of the timber being left in the stumps and the tops. He also estimated the total volume of timber on the reservation at 10 or 15 million board feet; "better timber and more of it than in the National Forest."

Forest Assistant Preston proposed to include the reservation forest in the Little Rockies National Forest as a long-term solution to the waste problem. He believed it was logically a part of the National Forest, and that it would serve the best interest of the people if added to it. He also believed that the merchantable timber would go about twice as far if placed under the care of the Forest Service. However, Preston also recommended the appointment of a Forest officer to supervise Indian logging. He maintained that a forest officer working under the direction of the ranger in charge of the district would be able to supervise cutting by the Indians, do patrol work, and estimate the standing timber on the reservation.

The cycle of continued waste, and the request for and denial of funds for "a proper system of protection" repeated itself. Finally, the Indian Service asked the Forest Service to prepare a set of rules to guide the superintendent in permitting timber cutting by the Indians. The Forest Service promptly compiled a short list of guidelines, and sent them to the superintendent of Fort Belknap, stating that their enforcement would achieve satisfactory results.

The Commissioner of Indian Affairs emphasized the importance of the guidelines to the Fort Belknap agent, and asked him to report periodically on improvements. The guidelines called for:

(1) A close utilization of all trees cut;

(2) Compacting, piling, and burning all brush and debris resulting from logging when forest fires are not liable to start;

(3) Leaving enough thrifty trees to form a basis for a second cutting in 30 to 50 years;

(4) Cutting only dead and dying trees (unless young trees were already present) on rocky steep slopes, especially those with a southern exposure;

(5) Making every effort to prevent and suppress forest fires.

The compact between the Interior Department and the Forest Service ended in 1909. An act of Congress, approved on March 3, 1909, appropriated $100,000 for managing Indian forests and conducting timber operations and sales. The money was for use by the Commissioner of Indian Affairs, under the direction of the Secretary of the Interior, who interpreted the act to mean that

"...it had been held by this Department that it is without authority to pay from such appropriations the salary and expenses of officers of the Department of Agriculture in connection with logging upon Indian reservations, but that officers in charge of this work must be upon the rolls of the Department of the Interior, under the direction of this Department."

Ballinger then proposed amending the regulation under which Forest Service personnel supervised the cutting and sale of Indian timber, where the regulations stated employees of the Department of Interior. President Taft approved the changes on October 2, 2909. Sole authority for administering timber operations on Indian land once again belonged to the Department of the Interior.

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* Information taken from "Skidways To the Past; a History of Forest Management On the Fort Belknap Indian Reservation; Montana 1888-1978."

B.I.A. ROADS DEPARTMENT

The Roads Department is funded under the Bureau of Indian Affairs. Its purpose is to plan, design, construct, maintain, and administer roads and bridges on Indian reservations.

The construction of roads on Indian lands first begins with the Commissioner of Indian Affairs. The Commissioner is responsible for the planning, surveying, and design of all roads. He also must keep the appropriate local tribal officials notifies of all information relating to the projected alternatives of the proposed road developments. The Commissioner shall recommend to the tribe those proposed road projects having the greatest need. The tribes shall then establish annual priorities for road construction projects. If the Commissioner approves the project, then the tribe shall be in charge of the construction.

Before any work is undertaken on road construction projects, the commissioner shall obtain the written consent of the land owners. When an Indian has an interest in tribal land by virtue of a land use assignment, consent shall be obtained from both the landholder of the assignment and the Indian tribe.

The Bureau of Indian Affairs road program shall be administered in such a way as to provide training and employment for Indians. The Commissioner may contract with the Indian tribes and Indian-owned construction companies, or the Commissioner may purchase materials, obtain equipment, and employ Indian labor in the construction and maintenance of roads.

The administration and maintenance of Indian reservation roads and bridges is basically a function of the local government. If there are funds available, then the Commissioner shall maintain, or cause to be maintained, those approved roads on the Indian reservations. The Commissioner may also maintain roads not on federal Indian lands, if such roads meet the definition of Indian reservation roads and bridges, and are approved for maintenance by the Commissioner.

The Commissioner of Indian affairs may enter into agreements with an Indian tribe for a contribution from its tribal funds for the construction or maintenance of roads governed by regulations of this part. However, the tribe must be able to make such contributions without undue impairment of their funds.

The Commissioner may enter into an agreement with the state for cooperation in the construction and maintenance of certain roads, especially if those roads are located where both Indians and non-Indians will be using them. Free public use is required on roads eligible for construction and maintenance with federal funds under this area. When required for public safety, fire prevention or suppression, fish and game protection, or to prevent damage to unstable road beds, the Commissioner may restrict the use of them or may close them to public use. The Commissioner shall conduct engineering and traffic analysis in accordance with established traffic engineering, and determine the necessary maximum speed limit, maximum vehicle weight limit, and other needed regulatory signs for roads which he maintains. The Commissioner shall make recommendations to local government officials, who are authorized to enact and enforce ordinances on Indian lands, of his determination of needed regulatory signs.

The building of roads shall be restricted from construction within the boundaries of roadless and wild areas established in Part 163 of this chapter. Part 163 states that a roadless area has been defined as one which contains no provisions for the passage of motorized transportation, and which is at least 10,000 acres in extent. Under this definition, the Secretary of the Interior ordered certain roadless areas established on Indian reservations. The only presently existing roadless area is the Wind River Reserve, located on the Shoshone Reservation in Wyoming.

In order to promote comprehensive planning of construction activities on Indian reservations, the objectives for conducting public hearings on proposed roads projects are:

(1) To inform interested persons of the road proposals which affect them, and to allow such persons to express their views at those stages of a project's development when the flexibility to respond to those views still exists.

(2) To insure that road locations and designs are consistent with the reservation's objectives, and with applicable federal regulations.

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* Information taken from *Code of Federal Regulations*, 1978.

FORT BELKNAP ROADS

The Fort Belknap Roads Department follows all of the guidelines shown in the B.I.A. Roads Department article. The Roads Department's main purpose is to maintain the reservation road system as established by the tribe, in accordance with the funding provided. It is also required to construct certain roads on the public road system that have been established by tribal priority beforehand.

The Fort Belknap Roads Department has over the years provided jobs and services to many families on the reservation. But because of a lack of funding, the Department has had to cut down to a miminum the amount of work usually done. For instance, since the Roads Department was first started, it has put millions of dollars worth of roads on the reservation. In the early 1960's, it built the Beaver Creek road, and in the late 1970's to early 1980's, it constructed the Lodge Pole to Dodson road, and the Three Buttes road. All of these roads costs over one million dollars each.

Since the funding was cut, Fort Belknap has had no major work projects begun. There are only enough men employed for a maintenance crew. The crew does not handle major projects, just general work projects that deal with the Fort Belknap roads system. It is not known when the reservation will receive funding again for major projects, but sources say that in the future, the B.I.A. may fund all reservations in the same amounts. It is speculated that, in order to save money and distribute it to the different reservations, the B.I.A. may consider funding part of the reservations for work projects during one year, and then funding the remaining reservations the next year, thus keeping projects going on all of the reservations.

FORT BELKNAP FORESTRY HISTORY

The years between 1910 and 1920 were significant in forestry management on the nation's Indian lands, and on the Fort Belknap Reservation. The Interior Department organized its own Forestry Branch within the Indian Service; and Congress passed the Timber Sale Act of June 25, 1910, which for the first time permitted the cutting of marketable live timber on Indian lands. Indian Office action and congressional legislation provided the means to protect reservation forests from fires, and to punish offenders. J.P. Kinney had a role in all of these developments.

Inspection tours on the Fort Belknap Reservation in 1912 and 1916 estimated timber reserves and suggested operating plans, technological improvements, and stumpage rates for the reservation's mills at People's Creek and Beaver Creek. It also recommended that a fire guard be hired. Fire protection plans on the reservation lagged, despite Kinney's recommendations for improvements and needed equipment on the nation's Indian forest lands. Timber cutting practices also presented problems because of the reservation's limited amount of saw timber. A permit system was established in 1912 to control the cutting and sale of reservation timber, and which specified that timber suitable for saw logs could not be cut into cord (fire) wood. Commercial timber sales primarily consisted of sales of cordwood to the Beaver Creek Mining Company in Zortman. Despite the permit system, the sale of logs suitable for lumber as cordwood continued to be a problem.

The allotment process that started on the Fort Belknap Reservation in 1921 consumed most of the agency's time during the 1920's, and forestry work was neglected during that time. Forest Guard Richard King developed a reservation forest fire protection plan, which had been ordered for all reservations by the Commissioner of Indian Affairs in 1929. Large amounts of slash constituted a major fire hazard on the reservation. King organized a voluntary fire team because of the shortage of funds for fire protection.

Several forestry management changes occurred in the early 1930's. The positions of Forest Supervisor and Senior Forest Ranger were added to the Fort Belknap Forestry Staff to implement programs for range and forest management. However, Forestry Branch staff were often frustrated in the performance of these tasks by a shortage of funds and inadequate agency personnel. Sawmill production lagged during the 1920's and early 1930's because of poor equipment. Agency requests for a new sawmill were unsuccessful. The agency did grant to the Indians of the Hays community the control of the mill there.

The Indian Re-Organization Act of 1934 arrested the allotment process, and reinstituted the principle of tribal government. Superintendent Showell tried unsuccessfully to transfer timber land from the Jefferson National Forest to make the Gros Ventres and Assiniboines economically independent through the creation of two sustained-yield portable sawmill operations.

The New Deal-created C.C.C.-I.D. (Civilian Conservation Corps, Indian Division) was a separate program which President Roosevelt approved for the Indians in 1933. This program was basically the same as the C.C.C., which gave to unemployed young men between the ages of 18 and 25 work preserving the nation's natural resources — principally the forests. The E.C.W. (Emergency Conservation Work) was a program that dealt mainly with forestry projects. The E.C.W. made funds available, and provided the Indians of the Fort Belknap Reservation with jobs for conservation projects, many of which were forestry-related. E.C.W. funds were used to restore the mill near Hays, and to implement long-overdue fire protection improvements, including a new fire protection plan incorporating many improvements achieved with E.C.W. labor and funds.

The forest fire of 1936 had short and long-term effects on the Fort Belknap Reservation. It destroyed 20,000 acres of timber, caused soil erosion and seed loss, and left about 2 million board feet of salvageable timber. The Fort Belknap Agency spent three years trying to salvage the fire-damaged timber. The W.P.A. rejected a proposal for using $27,000 for clean-up and sawmill operations. E.C.W. operations salvaged 476,480 board feet, but the cost was high and government relief funds were cut off.

The Fort Belknap Community Council thereupon concluded sale agreements, first with Murray Nicholson (an Indian on the reservation), and then with the Resettlement Administration (later the Farm Security Administration). The latter, in the form of a Cooperative Agreement of 1938, was successful but short-lived, because of the general decline of funds for New Deal projects by the late 1930's. The Indian Office pressured the Tribal Council to advertise the damaged timber for sale, but no bids were received. An I.R.R. funding of logging and sawmill operations failed because the Agency did not have funds to sustain it. In the meantime, the fire-damaged timber deteriorated beyond marketability, and in turn constituted a new fire hazard.

The Fort Belknap Agency revised its fire control plan following the devastation of the 1936 fire. It issued a Department of the Interior handbook in May of 1937, which included procedures of the Cooperative Agreement between the Departments of Agriculture the Interior. The Fort Belknap Agency completed new fire control plans by 1939. During the 1940's, forest activity other than fire control virtually ceased because of World War II, and because of the damage caused by the fire of 1936.

National developments affecting Indian affairs included the reorganization of the Indian Office of the Bureau of Indian Affairs in 1949. It affected forestry management on the reservations by delegating timber management authority to the area director. The Bureau then survived a congressional attempt during the early 1950's to terminate the federal government's trust responsibility to the Indians of the United States.

Accessible timber was depleted on the reservation during the late 1940's and the 1950's. The Fort Belknap Indian Council's concern about this problem was evident in its Resolution 395 of August, 1952, which was directed at governing timber cutting and the establishment of reforestation programs in the Little Rocky Mountains. Nicholas Welter, Billings Area Forester in 1958, viewed reforestation on the reservation more in terms of increased soil stability, increased water yield, and improved seed source, rather that in terms of the commercial production of saw lumber. Tribal interest in reforestation coincided with the establishment of Accelerated Public Works programs (A.P.W.) in 1963. Both resulted in planting projects on the Fort Belknap Reservation in the late 1960's and the early 1970's.

There was little forestry activity on the reservation from about 1965 to 1975, because of the small size of the forest, its isolation from forest products industries, the low quality of its timber, and the lack of funding. In 1974, the Comptroller General's Office issued a report calling for the improved management and increased productivity of forest land, range land, and crop land on the nation's Indian reservations. Congress appropriated funds in 1977 for the implementation of G.A.O. recommendations, which included additional B.I.A. forestry personnel. The B.I.A. and the Fort Belknap Indian Community used funds to perform a long-overdue inventory of reservation timber and pre-commercial thinning.

Much of the 1970's was also taken up combatting mountain pine beetle infestation in the Bear Gulch and Macmeal Ridge areas east of Eagle Child Mountain. The Fort Belknap Council tried to salvage much of the infested timber by sales agreements, such as the ones with Cummings Brothers and Brand S Lumber Company, both of Lewistown, Montana. However, the general problems that have traditionally beset timber and sawmill operations on the reservation, plus labor and contractual problems, limited the success of these ventures.

At the present time, however, the disappearance of the effects of the forest fire of 1936, forest improvements through intensified forest management by the B.I.A., and new tribal interest in timber resources, promise better results in the future.

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* Information taken from the book "Skidways To the Past," prepared by Historical Research Association; 1980.

WATER RESOURCES AND IRRIGATION WATER — FORT BELKNAP RESERVATION

In general, the water resources of the reservation are limited. The main surface water supply is the Milk River, with an average annual stream flow of 215,000 acre-feet before upstream storage and diversion. The remaining surface water resources of the reservation produce an estimated 43,000 acre-feet per year. The ground water supplies of the reservation are inadequate in some areas even for domestic use, due to limited quantity or poor quality. The potential of the Madison limestone, a deep aquifer producing good water in other areas of the state, is being investigated, but is currently unknown.

The surface water supplies are meager, considering the large area producing the water. The annual distribution of flow further limits the present usefulness of the water. Normally, the spring runoff occurs during a period in March, April, or May, during which time as much as 70% of the total annual volume of water is discharged. In July and August, when agricultural demands are high, the available streamflow is generally very small. Storage reservoirs to detain spring runoff until a more appropriate time for release would be beneficial for agricultural purposes.

The Milk River is most affected by upstream influences of the reservation's surface water supplies. The St. Mary Canal, constructed by the U.S. Bureau of Reclamation, transfers water from the St. Mary River across the Hudson Bay Divide into the North Fork of the Milk River. This has supplemented the average flow of the Milk River by an average 120,000 acre-feet per year since diversion began in 1917. In recent years, the transfer has increased to about 175,000 acre-feet per year.

Fresno Dam and Reservoir, located several miles northwest of Havre, is the only storage facility on the main stream of the Milk River above the reservation. The reservoir has a usuable capacity of 127,200 acre-feet. By agreement with the U.S. Bureau of Reclamation, the Fort Belknap Reservation is entitled to 1/7 of the storage capacity in Fresno Reservoir, or slightly more than 18,000 acre-feet. The main purpose of the reservoir is storage of the flow of the Milk River and St. Mary transfer, until releases are needed for downstream irrigation projects.

The amount of diversion from the Milk River above Fort Belknap is not measured. However, approximately 60,000 acres of land are irrigated from ditches diverting from the Milk River above Harlem. Analysis of the recorded streamflows indicates that irrigation depletes the natural streamflow above Harlem by about 120,000 acre-feet per year.

Peoples Creek and its tributaries account for the second most significant source of surface water on the reservation. Several small dams and reservoirs affect the flow of Peoples Creek, but it is suspected that the effect diminishes in the downstream direction. The U.S. Geological Survey notes that about 3,300 acres are irrigated from Peoples Creek above the approximate location of Peoples Creek No. 1 dam site.

About 1,200 acres are irrigated upstream from the western boundary of the reservation. It was estimated that the average annual irrigation diversion from Peoples Creek reduces the natural supply of that source by 5,700 acre-feet per year.

Other surface waters of the reservation area are affected by only small amounts of storage and diversion.

Numerous filings of applications for water supplies from the Milk River and Peoples Creek are found in the records of the appropriate counties. The amount of filings greatly exceeds the available streamflow. For example, a total of 2,873 filings exist for the diversion of over 38 million acre-feet per year from the Milk River above and within the reservation. The available supply is less than one quarter million acre-feet per year. Filings from Peoples Creek total 241, for a combined diversion of 430,000 acre-feet during a 120-day growing season. The average annual supply is less than 30,000 acre-feet.

One of the most significant court cases dealing with Indian water rights was decided in favor of the Fort Belknap Indians. The case, *Henry Winters vs. United States*, sets the precedent for interpretation of Indian water rights. The following interpretation has been given:

"In effect the Supreme Court has held that rights to the use of water for irrigation of Indian reservation lands have been impliedly reserved. Moreover, the water rights reserved are not limited to that necessary for irrigation at the time the reservations were established."

On the basis of the Winters decision, the U.S. Bureau of Indian Affairs has taken the position for the Fort Belknap tribes that the Indian water right is reserved to include the amount of water arising naturally on or above the reservation, and that the right to use the water extends to all beneficial uses.

In view of this interpretation, all subsequent court filings for appropriation could only apply to amounts unused by the reservations.

In addition to existing storage, diversion, and court filings, other constraints may influecnce the amount of surface water available to Fort Belknap in the future. Specifically, the International Boundary Waters Treaty with Canada, and the water rights of upstream reservations, may limit the available supply of the Milk River at some future date.

The International Boundary Waters Treaty is an agreement between the United States and Canada to share the water supply of the Milk River. According to the terms of the agreement, the United States is entitled to ¾ of the natural flow of the Milk River, measured at Eastern Crossing when the flow is less than 666 cubic feet per second. When the natural flow exceeds 666 cfs, the United States is entitled to 500 cfs, and the excess is to be shared equally by Canada and the United States. Historically, Canada has not utilized its share of the Milk River, but its entitlement has averaged 45,700 acre-feet per year. Since 1912, the annual flow of the Milk River at Eastern Crossing has averaged 129,800 acre-feet.

Two Indian reservations, Blackfeet and Rocky Boy's, contribute to the natural flow of the Milk River. The Blackfeet Reservation produces an average annual supply of 79,200 acre-feet in the headwaters tributaries of the Milk River, including the North, South, and Middle Forks. The Milk River tributaries which arise on Rocky Boy's Reservation include Big Sandy, Box Elder, and Beaver Creeks. The estimated flow of these streams as they leave the boundary of the Rocky Boy's Reservation totals about 11,000 acre-feet during an average year.

The ground water supplies of the reservation are relatively unknown. However, the U.S. Geological Survey is currently conducting a comprehensive groundwater study, which will be a component of the final phase of water resources investigations.

The alluvium of the Milk River produces only limited quantities of water which is generally poor in quality. The bedrock aquifers between the Milk River and the Little Rockies produce even less water of poorer quality, particularly at shallow depths. In the vicinity of the Little Rockies, the groundwater potentital improves. Expected yields increase, and the quality of water improves. The alluvium deposits in the vicinity of Hays and Lodge Pole are considered to be good aquifers. The gravel terraces in the southwestern corner of the reservation may be a source of groundwater depending upon the extent of the terraces. The potential has not been explored in the field.

The Madison limestone is considered the aquifer of greatest economical potential on the reservation. The purpose of a portion of the U.S. Geological Survey Investigation will be to tap this aquifer in the vicinity of the Little Rocky Mountains. A well test will be performed, and data will be collected to estimate the potential yield of the aquifer. Preliminary estimates of 500 to 2,000 gallons per minute appear reasonable. Water quality is expected to be relatively good in the vicinity of the Little Rockies, with deteriorating quality as the distance from the mountains increases. The Little Rockies provide a recharge area for the Madison limestone.

Groundwater resources of the reservation deserve serious consideration in terms of multi-purpose development where surface water supplies are limited. However, the amount of water that could be made available each year from underground sources is expected to be small compared with total surface water resources.

Near the southern end of the reservation, where surface supplies are relatively limited and groundwater potential may be high, the economics of developing both sources should be investigated. Four wells yielding 2,000 gallons per minute continuously throughout a 120-day growing season could produce an amount of water equal to the estimated average annual flow of Lodge Pole Creek.

The quality of water from the Milk River is suitable for most purposes, although the threshold concentration of boron was exceeded for irrigation. Threshold concentrations of dissolved solids have been exceeded for both drinking and irrigation purposes. The quality of water from Peoples Creek appears less suitable than Milk River water for drinking and irrigation, based on the limited sampling. The maximum observed concentration of total dissolved solids nearly exceeds the threshold concentration suggested for fish population.

Water quality from streams issuing from the Little Rockies is expected to be relatively good. However, local residents have expressed concern that arsenic concentrations may be high when wastes from old mining operations have reached the surface streams.

The groundwater quality of various aquifers is highly variable across the reservation. Some sources are too highly mineralized to be suitable for either domestic or livestock purposes. Other aquifers have yielded relatively good quality water.

The U.S. Geological Survey groundwater investigation will provide generalized maps of water quality across the reservation.

As a means of increasing the multi-purpose benefits of available surface water supplies, potential reservoir sites have been located across the reservation. The possible benefits that could be derived from the reservoirs on Fort Belknap include streamflow regulation for flood control, storage of spring runoff to meet summer irrigation demands, creation of a pool for recreation, creation of a habitat suitable for fish and wildlife, and possible storage of water for municipal, industrial, or mineral needs of the future.

The maximum storage capacity available from the reservoir potential is 360,000 acre-feet. The capacity needed to regulate the natural flow exceeded 20 out of 3 years from the Milk River, and the other reservation streams were estimated at 419,250 acre-feet. Even with an elaborate distribution system to deliver all of the water supplies to the various storage sites, regulation of the ⅔ flow could not be achieved.

Regulation of the Milk River water supply would require transfer of the water to off-stream reservoirs, since storage potentials do not exist on the main stream within the reservation. Waters could conceivably be tranferred to sites between the Milk River and Peoples Creek. This would involve storage sites on Three Mile Creek, White Bear Creek, and Fifteen Mile Creek. The four storage sites on these streams have a combined capacity of 57,940 acre-feet. The additional 18,000 acre-feet available in Fresno Reservoir results in a total Milk River storage capacity of about 76,000 acre-feet. Only partial regulation of the Milk River water supply would be accomplished.

Increased water supplies to the reservation could be available from three possible sources:

(1) Cloud seeding in the Little Rockies and the Bear Paws.

(2) Trans-basin diversion from a source not included in the inventory.

(3) Increased streamflow regulation capability.

Cloud seeding may increase stream flows from watersheds arising in the Little Rockies or the Bear Paws. This would benefit the Peoples Creek watersheds. Researchers indicate a 10 to 20 percent increase in annual streamflow may result from increased snowpack in mountainous areas.

Additional water supplies could be made available by transfer of water into the Milk River system above the reservation. Possibilities that exist are increase in diversion from the St. Mary River on the Blackfeet Reservation, and a new diversion from the Missouri River and transfer across the Rocky Boy Reservation. Conceivably, agreements with the respective tribes of the reservation would be needed to obtain the water. The feasibility of such a plan is questionable, unless additional storage potential could be developed.

Increased stream flow regulation could be accomplished by reservoir sites on the Blackfeet and Rocky Boy Reservation. Utilization of those sites would be contingent on the needs of the other reservations to develop the water and storage for their own purposes.

IRRIGATION — FORT BELKNAP RESERVATION IRRIGATED ACREAGE AND PRODUCTION

The total irrigated acreage on the reservation is 18,344 acres within the Fort Belknap Irrigation Project. Of the total irrigated acres. 7,919 are privately owned and operated. It is felt that the Fort Belknap Project is operated with moderate intensity, while private projects are operated with low intensity.

The private projects depend on diversion from Peoples Creek and its headwater streams in the Little Rockies. Projects include the Ereaux unit, the Jim Brown unit, the Duck Creek unit, and the Peoples Creek unit. Other private projects have relied on surface water from Big Warm Springs and Little Warm Springs Creeks.

Each of the private projects comprising the 7,919 acres are marginal, and any benefits derived are minimal. Field inspection of the Ereaux unit at the mouth of Peoples Creek in June of 1972 indicated that the project had virtually been abandoned. The reason for the abandonment was an inability to maintain a diversion in Peoples Creek at the time of the inspection, and the intake was clogged with silt and debris. Since there is no regulation of streamflow available to the private projects, little irrigation is possible after the spring runoff.

The 1971 acreage within Fort Belknap Irrigation Project totals 10,425, with most of the actively irrigated lands in some type of forage crop, either alfalfa or native hay. A substantial portion of the acreage, as shown in Table 7-10, is listed as irrigated pasture. The Fort Belknap Completion Report indicated that nearly the same acreage was operated under projects in 1962. However, the total of 2,300 acres was 22% idle. It is suspected that a substantial portion of the 5,250 acres listed as irrigated pasture in Table 7-10 is presently idle, and that the remainder is only marginally operated.

Table 7-14 summarized the acreages and probable yields for irrigation on Fort Belknap. The data cannot be supported by any single source of information collected, but represents "impressions" based on all sources of data. The total of 11,457 acres of active irrigated land, seen in Table 7-14, represents about 2.2% of the total area in farms, rather than the 3.5% indicated in Table 7-8.

CURRENT IRRIGATION PROBLEMS AND NEEDS

An inventory and evaluation of the Fort Belknap Irrigation Project was conducted by Morrison-Maierle in 1974 and 1975. The study included field inspection of structures, canals, and drains throughout the project. Costs of rehabilitation were compiled, as well as costs for new construction needed to bring the project to completion as originally planned and authorized.

The study indicated that primary problems in the project conveyance and distribution system were silt and weed growth in canals, laterals, and drains. By necessity, slopes are very flat throughout the project conveyance system. This has promoted silt and weed growth to occur, greatly reducing conveyance efficiency. An adequate program of cleaning and maintenance would be required for the system to operate with an acceptable degree of efficiency.

Many of the structures throughout the project were badly deteriorated, requiring replacement. The Milk River Diversion Dam and head works structure is inadequate, and should be the primary structure to be replaced. The White Bear Diversion structure is also in poor condition, and should be worked on.

Poor drainage is prevalant throughout the Fort Belknap Project, causing many areas of alkaline accumulation. Some of the crop land has very little or no productivity as a result. The alkaline problem is due to both the quality of irrigation water and the heavy clay soils in the project lands. Improvement of the lands could be accomplished by cleaning existing drainage systems, and constructing additional drains, with adequate productivity in many areas resulting. Sub-surface as well as surface drainage systems may be necessary to accomplish this conversion to a more efficient means of water application. Sprinkler systems would also help the operators to control water much more efectively, and would greatly improve field efficiency.

At the present time, very little provision is made in the project to measure inflows to laterals and individual turnouts. It would be desirable to add measurement structures, such as Parshall flumes or metered gates, to more accurately allocate flows.

The available data that is related to crop yields is very limited, but it suggests that average production is low. For example, 1 to 2 tons per acre (Table 7-14) for irrigated hay is very low. The average for Blaine County is 2.12 tons per acre, and good farm operations can expect yields of 5.5 tons per acre. This information is not intended to reflect on the management abilities of the farm operators, but the data does indicate that crop yields are less than should be expected. A combination of factors, including water conditions and lack of farm experience, are probably the reasons for the low yields.

IRRIGATION WATER REQUIREMENTS

An investigation was made to determine the amount of water needed for crops in the area based on climatic conditions. The analysis was based on a modified methodology (an analysis of principles and procedures applied in a science or discipline) to determine water utilization or crops. Monthly records of temperature and precipitation at Harlem were used to determine theoretical irrigation requirements for each year from 1939 through 1972. The results are shown in the frequency diagram of Figure 7-2. Water required for irrigation ranged from a low of 15.41 per season to a high of 23.32. The median requirement was 18.90 during the 34-year period. Effective precipitation during the growing season ranged from about 4 inches to 6 inches.

The data in Figure 7-2 represent the quantity of water that crops in the area would use if the water was available and mobile in the root zone of the plants. Optimum production would result under the specified conditions, assuming soil nutrients were available and other related conditions were adequate. In practice, crops rarely receive the theoretical consumptive use requirement. The difference between actual optimum crop yields is usually tolerable. For example, optimum yields for alfalfa in the area may be as high as 7.0 tons per acre, but 5.5 tons is considered very good.

To determine the gross diversion requirement for the Fort Belknap Irrigation Project, monthly water distribution records of the U.S. Bureau of Reclamation were used. Table 7-15 summarizes form efficiencies derived from the available data for 1970. The table also shows the theoretical irrigation requirements, based on an overall project efficiency of 32%.

The efficiency of the Fort Belknap system appears much higher than a similar analysis suggested for the Chinook Division of the Bureau of Reclamation Milk River Project. Overall project efficiency of the Chinook Division was estimated at about 7%, or four times less efficient than at the Fort Belknap Unit. It is difficult to explain the differences without a detailed knowledge of both systems. Another statistic that appears unreasonable in Table 7-13 is the amount of water to the farms on Fort Belknap. Farm delivery of 2.15 acre-feet per acre should result in higher crop production than the data indicates, unless on-farm efficiencies are extremely low.

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* Information taken from *Irrigation System Inventory, Fort Belknap Indian Reservation.*

* Information taken from *Water Resources Inventories, Fort Belknap Indian Reservation, Montana; Morrison-Maierle.*

DEPARTMENT OF THE INTERIOR

The Department of the Interior was created on March 3, 1849. Its responsibilities lie primarily with conservation and the use of natural resources. In addition, the Department oversees the administration of approximately 500 million acres of federal land, and 55 million acres of Indian trust land. It has other responsibilities in the areas of minerals, water, fish and wildlife, reclamation and irrigation projects, and coordination of federal and state recreation programs. It also administers many of the United States government's social and economic programs for its Trust Territories, and for Indian and Alaska Native people. The Department of the Interior has responsibility over the following areas:

(1) Land and natural resource use;
(2) Conservation and recreation programs;
(3) Social and economic development programs for the U.S. Trust Territories; and
(4) U.S. relations with American Indians and Alaska Natives.

The Secretary of the Interior, assisted by the Under Secretary, supervises and manages the activities of the department.

ESTIMATED IRRIGATION DEMANDS

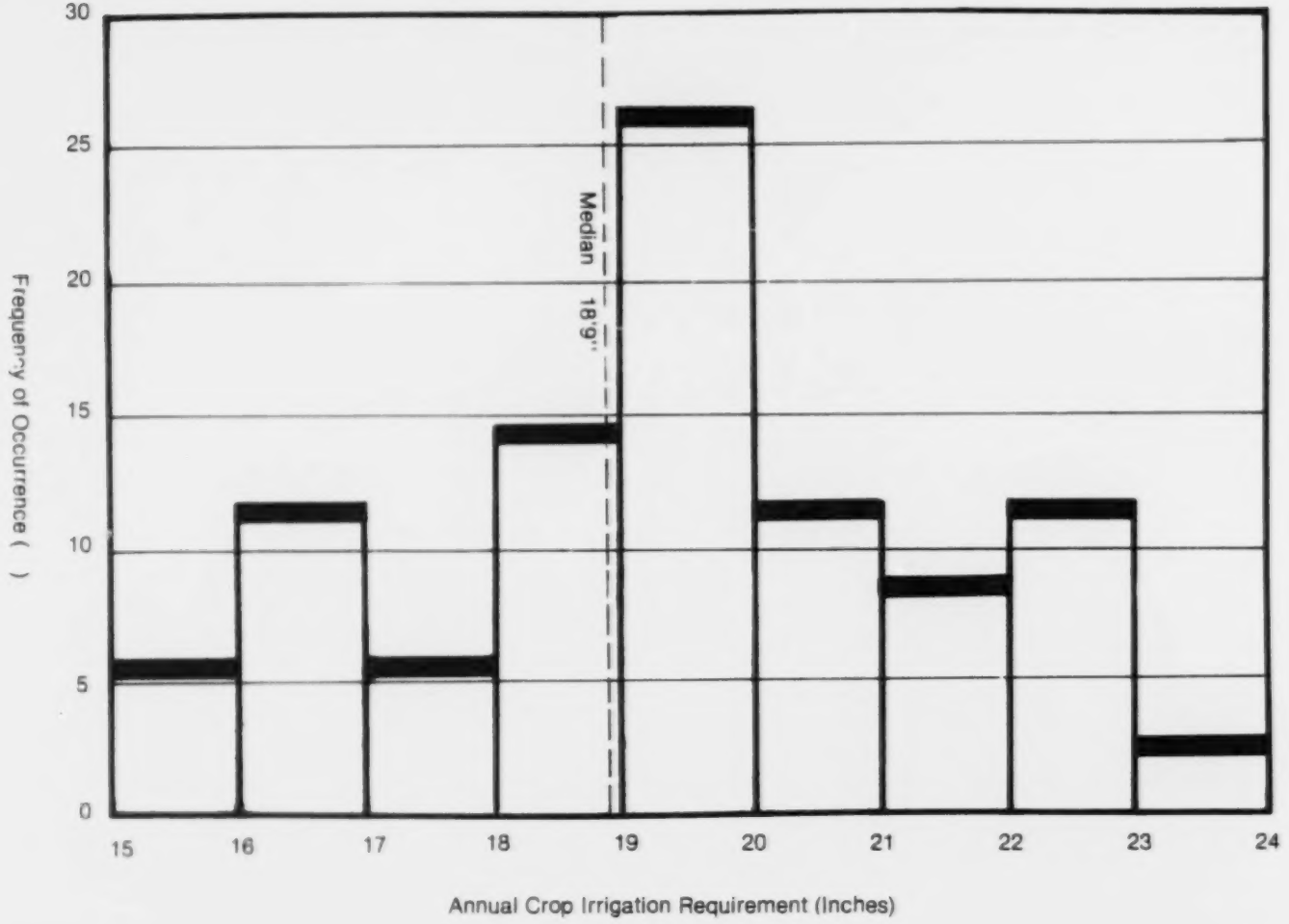


TABLE 7-8

AGRICULTURAL LAND USE (ACRES)

Area	Total Land Area	Area in Farms	Cropland				
			Total	Land in Crops 1/	Cropland Pasture	Irrigated Land	Range
Fort Belknap							
Total							
Number	920,266	518,531	95,901	43,336	52,565	18,344	417,652
Percent	100.0	83.6/100.0	18.5	8.4	10.1	3.5	80.5
Indian							
Number		458,764	59,629	25,416	31,213	17,081	397,477
Percent		/100.0	12.3	5.5	6.8	3.7	86.6
NonIndian							
Number		59,767	39,272	17,920	21,352	1,140	20,175
Percent		/100.0	65.7	30.0	35.7	1.9	33.8
Blain County							
1969 Number	2,735,872	2,260,133	383,705	355,868	27,837	46,569	1,856,164
1969 Percent	100.0	82.6/100.0	17.0	15.7	1.3	2.1	82.1
1964 Number	2,730,880	2,483,650	380,984	363,080	17,904	55,535	2,077,209
1964 Percent	100.0	90.9	15.3	14.6	0.7	2.2	83.6
Subarea 1-C							
1969 Number	28,535,296	22,390,387	6,579,341	6,189,921	389,420	278,068	15,531,001
1969 Percent	100.0	78.5/100.0	29.4	27.6	1.8	1.2	69.4
1964 Number	28,616,320	23,874,020	6,286,645	6,049,643	237,002	272,577	17,283,113
1964 Percent	100.0	83.4/100.0	26.3	25.3	1.0	1.1	72.4
Upper Missouri							
1969 Number	50,805,440	37,585,994	12,044,946	11,240,897	304,049	992,161	24,947,124
1969 Percent	100.0	74.0/100.0	32.0	29.9	2.1	2.6	66.4
1964 Number	50,886,400	40,009,221	11,596,777	11,042,955	553,822	1,000,191	27,767,259
1964 Percent	100.0	78.6/200.0	29.0	27.6	1.4	2.5	69.4

1/ Includes summer fallow, harvested lands, and other croplands not in pasture.

SOURCES: Fort Belknap - derived from agency files for 1972, except irrigated lands, which were taken from 50-1 report. SUBAREA 1-C & Upper Missouri - 1954 and 1969 Agricultural Censuses.

NOTE: Percentages are expressed as proportion of total area in farms. Area in farms is also expressed as per unit of the total land area (i.e. 85/100).

TABLE 7-10

CROP PRODUCTION

Crop	Unit	Area			
		Fort Belknap [1]	Chinook Division	Subarea 1-C	Upper Missouri
CORN SILAGE					
Acres		345	706	7,856	10,389
Yield per acre	Ton	-	13.4	-	-
% of cropland		1.3	2.0	0.2	0.2
WHEAT					
Acres			746	1,769,119	2,968,582
Yield per acre	Bu.		28	24.8	25.6
% of cropland		16,000	2.1	55.4	48.9
OTHER SMALL GRAINS [1]		40/29D[2] 61.1			
Acres			2,554	742,851	1,567,132
Yield per acre	Bu.		37B/54 0[2]	-	-
% of cropland			7.2	23.3	25.8
HAY					
Acres		4,612	20,112	629,330	1.293,991
Yield per acre	Ton	.8-2.1	1.6-3.2	1.44	1.61
% of cropland		17.6	56.8	19.7	21.3
IRRIGATED PASTURE					
Acres		5,250	9,927	34,691	216,648
Yield per acre	Aum	1.5	3.3	-	-
% of cropland		20.0	28.1	1.1	3.6
SUGAR BEETS					
Acres			1.244		
Yield per acre	Ton	-	12.1	-	-
% of cropland			3.5		
POTATOES					
Acres			78	141	2,096
Yield per acre	CWT	-	116.3	-	-
% of cropland			0.2	0.0	0.0
OTHER CROPS					
Acres			20	9,417	15,578
Yield per acre		-	-	-	-
% of cropland			.01	0.3	.2
TOTAL ACRES		26,207	35,587	3,193,405	6,074,236

Source: Fort Belknap: Farm leases and 50-1 reports, 1972, except hay and irrigated pasture acreages, which are US BR. Chinook Division: crop production report, USBR, 1970. Subarea 1-C: 1969 Agr. Census.

[1] Data for Fort Belknap were derived from serveral sources including 50-1 Report, 1971; USBR, Crop Production Report, 1970; and Agency Files. Yields for irrigated crops are from USBR Crop Production Report, 1970; Dryland yields are Blaine County Averages.

[2] B-Barley; O-Oats; I-Irrigated; D-Dryland

TABLE 7-13

VALUE OF PRODUCTION PER FARM AND PER ACRE (1973 Dollars)

Area	1954	1959	1964	1969	% Increase
Blaine County					
Per farm	22,333	22,587	25,569	30,778	37.8
Per acre	7.23	6.93	6.36	7.64	5.7
Subarea 1-C					
Per farm	19,196	23,620	21,220	27,205	41.7
Per acre	8.38	9.38	6.99	8.92	6.4
Upper Missouri					
Per farm	22,184	23,620	23,487	30,172	36.0
Per acre	10.47	9.38	8.50	10.97	4.8

TABLE 7-14

SUMARY OF IRRIGATED CROPS AND PRODUCTION ON FORT BELKNAP 1972

Crop	Production Unit	Acreage	Probable Yields
Small Grains	Bu.		
Project		200	40
Private		0	0
Hay	Ton		
Project		4,612	.8-2.1
Private		1,300	.8-1.5
Pasture	Aum		
Project		3,000	1.5
Private		2,000	1.0
Other	-		
Project		345	-
Private		-	-
Idle			
Project		2,268	-
Private		4,619	-
TOTAL ACTIVE		11,457	-
TOTAL IDLE		6,887	-

TABLE 7-15

FORT BELKNAP IRRIGATION PROJECT
SYSTEM EFFICIENCY

	Total Acre Feet	Acre-Feet Per Acre
Net Supply	28,215	2.70
Main Canal Waste	-470	- .04
Main Canal Losses	-2,800	- .27
Delivered to Laterals	24,945	2.39
Lateral Waste	-195	.02
Lateral Losses	-2,065	.20
Delivered to Farms	22,685	2.15
Delivery System Efficiency	.80	.80
Estimated Farm Efficiency	.40	.40
Overall Irrigation Efficiency	.32	.32
Theoretical Irrigation		
Crop Requirement	16,490	1.58
Farm Delivery	41,122	3.94
Diversion	51,350	4.92

Note: Basic data from USBR records, 1970; efficiencies calculated from USBR data; theoretical irrigation requirements were computed from independent data. The farm delivery is 1.79 AC-FT/AC or 45% less than the theoretical required delivery.

COMMISSIONERS OF INDIAN AFFAIRS

COMMISSIONER	YEAR OF APPOINTMENT	PRESIDENT
Elbert Herring	1832	Andrew Jackson
Carey A. Harris	1836	Andrew Jackson & Martin Van Buren
T. Hartley Crawford	1838	Martin Van Buren & William H. Harrison & John Tyler
William Medill	1845	James K. Polk & Zachary Taylor
Orlando Brown	1849	Zachary Taylor & Millard Fillmore
Luke Lea	1850	Millard Fillmore
George Manypenny	1853	Franklin Pierce
James W. Denver	1857	James Buchanan
Charles E. Mix	1858	James Buchanan
Alfred B. Greenwood	1988	James Buchanan
William P. Dole	1861	Abraham Lincoln & Andrew Johnson
Dennis Cooley	1865	Andrew Johnson
Lewis V. Bogy	1866	Andrew Johnson
Nathaniel G. Taylor	1867	Andrew Johnson
Eli S. Parker	1869	Ulysses S. Grant
Francis A. Walker	1871	Ulysses S. Grant
Edward P. Smith	1873	Ulysses S. Grant
John O. Smith	1875	Ulysses S. Grant & Rutherford B. Hayes

Ezra A. Hayt	1877	Rutherford B. Hayes
R.E. Trowbridge	1880	Rutherford B. Hayes
Hiram Price	1881	James Garfield & Chester A. Arthur
John D.C. Atkins	1885	Grover Cleveland
John H. Oberly	1888	Grover Cleveland
Thomas J. Morgan	1889	Benjamin Harrison
Daniel M. Browning	1893	William McKinley & Theodore Roosevelt
Francis E. Leupp	1904	Theodore Roosevelt
Robert G. Valentine	1909	William Howard Taft
Cato Sells	1913	Woodrow Wilson
Charles H. Burke	1921	Warren G. Harding & Calvin Coolidge
Charles H. Rhoads	1929	Herbert Hoover
John Collier	1933	Franklin D. Roosevelt
William A Brophy	1945	Franklin D. Roosevelt & Harry S. Truman
John R. Nichols	1949	Harry S. Truman
Dillon S. Myer	1950	Harry S. Truman
Glenn L. Emmons	1953	Dwight D. Eisenhower
Philleo Nash	1961	John F. Kennedy & Lyndon B. Johnson
Robert L. Bennett	1966	Lyndon B. Johnson
Louis R. Bruce	1969	Richard M. Nixon
Morris Thompson	1973	Richard M. Nixon & Gerald Ford
Benjamin Reifel	1976	Gerald Ford
Forrest J. Gerard	1977*	Jimmy Carter
William E. Hallett	1979	Jimmy Carter

* Title changed to Assistant Secretary of Indian Affairs

INDIAN AGENTS AND AGENCY SUPERINTENDENTS
FORT BELKNAP RESERVATION

William H. Fanton (Special)	1873-1875
Wyman L. Lincoln (Subagent)	1878
Wyman L. Lincoln (Agent)	1878-1879
Edwin C. Fields	1887
Archer O. Simons	1889
Charles F. Rober	1893
J.M. Kelley	1893
Luke C. Hays	1896
M.L. Bridgeman	1899
William R. Logan	1905-1910
Horton H. Miller	1910-1914
Jewell D. Martin	1914-1918
Charles D. Munro	1918-1919
Alfred H. Symons	1919-1921
John T. Marshall	1921-1928
Marvin B. Clark	1928-1931
Luman W. Shotwell	1931-1934
Jasper W. Elliott	1934-1938
Fred W. Boyd	1938-1940
Hiram N. Clark	1940-1947
Joseph W. Wellington	1947-1955
Darrell Fleming	1955-1957
Howard S. Dushawe	1957-1960
Walwyn S. Watkins	1960-1965
Harold D. Roberson	1965-1967
Maurice W. Babby	1967-1970
Roderick H. Scurlock	1970-1974
Loren Farmer	1975-1979
Elmer Main	1980-Present

This was compiled from employee rosters, signatures on correspondence, and signatures on annual reports. The dates given in many instances are, therefore, only approximations.

BUREAU OF INDIAN AFFAIRS

The Bureau of Indian Affairs was established in 1842 under the operation of the War Department. In 1849 it was transferred to the Department of the Interior, and still remains under this department today.

The purpose of the B.I.A. is to discharge the responsibility assumed on the part of the United States, by treaty or other means, for the orderly integration of American Indian groups and individuals. The intent of Congress is that, when Indians so desire and are prepared to take over their respective affairs, the Bureau is directly obligated to render to the Indian people every possible assistance in effecting this change. The Snyder Act of 1921 is the basic authorizing law for all B.I.A. programs.

The Bureau's headquarters are located in Washington, D.C., and a number of Area Offices are located throughout the United States. The Assistant Secretary for Indian Affairs is appointed by the President, and is responsible to the Assistant Secretary of the Interior. Area Directors are appointed by, and are responsible to, the Assistant Secretary. Superintendents are also appointed by the Assistant Secretary, and are responsible for the administration of the field installations under the supervision of the area director.

The Assistant Secretary for Indian Affairs is the head of the B.I.A. His authority is delegated to him by the Secretary of the Interior. The B.I.A. manual of operations sets forth the following goals for the Bureau of Indian Affairs:

(1) To encourage Indians, and to train Indians and Alaska Native people, to manage their own affairs under a trust relationship with the federal government.

(2) To facilitate, with maximum involvement of Indian and Alaska Native people, full development of their human and natural resource potentials.

(3) To mobilize all public and private aid to the advancement of Indian and Alaska Native people for use by them.

(4) To use the skills and capabilities of Indian and Alaska Native people in the direction and management of programs for their benefit.

There are three basic office levels within the B.I.A.: local agency offices, run by superintendents; regional area offices, run by area directors; and a central office directed by the Assistant Secretary for Indian Affairs. There are 82 agency offices. These agency offices in turn fall under the authority of the central office in Washington, D.C. There is a direct line of authority from an agency superintendent to the Assistant Secretary for Indian Affairs.

The Central Office has nine major divisions, which are duplicated on the area and agency office levels. Five of these divisions are responsible for internal administration:

The OFFICE OF ADMINISTRATION handles the B.I.A.'s internal operating responsibilities. It contains divisions for auditing, contracting, support services, and personnel management.

The OFFICE OF CONGRESSSIONAL AND LEGISLATIVE AFFAIRS reviews and coordinates legislative developments, and analyzes the legislative needs of tribes. It also maintains general liaison with congressional committees and members of Congress.

The OFFICE OF INTERGOVERNMENTAL RELATIONS coordinates B.I.A. efforts with other federal agencies at the national, regional, state, and local governmental levels to promote consideration of Indian needs.

The OFFICE OF POLICY PLANNING develops and defines the B.I.A.'s missions, policies, and objectives in coordination with legislation and evaluation processes. The office is also responsible for the Bureau-wide management information system.

The OFFICE OF PUBLIC INFORMATION maintains liaison with the media, the public, and other federal and state agencies. It prepares speeches and articles for top officials of the B.I.A., and develops news releases, general publications, and audio-visual materials for special reports concerning Indians.

The four administrative programs addressing specific tribal needs are:

The OFFICE OF INDIAN EDUCATION PROGRAMS, which administers the B.I.A.'s educational programs, whether involved with federal, public, or private schools. Five major divisions of interest within this office are: the cultural studies staff; the planning and program development staff; the division of elementary and secondary education; the division of post-secondary education; and the Indian Education Resource Center. The Center is concerned with continuing education, educational assistance, educational audio-visual services, education evaluation and research, and school facilities.

The OFFICE OF TRIBAL RESOURCES DEVELOPMENT provides technical and financial assistance for the economic development of Indian reservations. Its programs are designed to develop Indian business enterprises, secure credit and loans for Indian economic self-development, develop Indian job placement and training, and improve reservation transportation facilities.

The OFFICE OF INDIAN SERVICES promotes the welfare and development of Indians and communities. It also assists tribes in developing their capabilities for self-government. Six divisions within this office carry out its functions of providing services which cater to a variety of Indian needs, such as housing, law enforcement, social services, tribal government services, tribal long-range and program planning, and Indian self-determination.

The OFFICE OF TRUST RESPONSIBILITIES develops and manages the B.I.A.'s trust and legal responsibilities programs. Areas of concern are the protection of Indian trust rights, the exercise of the Secretary of Interior's authority in regard to Indian trust property and services, and the administration of trust programs. Two divisions are found within these offices: the Division of Trust Facilitation, concerned with environmental quality, irrigation, and soil conservation; and the Division of Trust Services, concerned with real estate, forestry, ranges, and Indian trust fund programs.

SNYDER ACT OF 1921 — P.L. 7-67-86

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the Bureau of Indian Affairs, under the supervision of the Secretary of the Interior, shall direct, supervise, and expend such money as Congress may from time to time appropriate for the benefit, care, and assistance of the Indians throughout the United States for the following purposes:

General support and civilization, including education;

For relief of distress and conservation of health;

For industrial assistance and advancement and general administration of Indian property;

For extension, improvement, operation, and maintenance of existing Indian irrigation systems and for development of water supplies;

For the enlargement, extension, improvement, and repair of the buildings and grounds of existing plants and projects;

For the employment of inspectors, supervisors, superintendents, clerks, field matrons, farmers, physicians, Indian police, Indian judges, and other employees;

For the suppression of traffic in intoxicating liquor and deleterious drugs;

For the purchase of horse-drawn and motor-propelled passenger-carrying vehicles for official use;

And for general and incidental expenses in connection with the administration of Indian affairs.

APPROVED NOVEMBER 1, 1921

OVERVIEW

The Bureau of Indian Affairs, complex and inefficient in nature, still remains the primary single agency providing services guaranteed to Indian people through treaties and the trust responsibility of the United States government. As one of the oldest agencies within the federal bureaucracy, the Bureau of Indian Affairs has been plagued by many problems which affect its ability to serve Indian people and communities. Some of these problems stem from B.I.A. policy, organizational structure, internal management systems, the B.I.A. manual and use of regulations, the B.I.A. budget process, and the method by which the B.I.A. handles Indian trust funds. The B.I.A. has a large effect on the lives of Native Americans in the United States.

B.I.A. POLICY

Policies are the general guidelines concerning the goals and objectives of a government. Policies are usually transmitted in written form. Policy memoranda or papers are distributed to individuals who direct the operation of a governmental department, office, or organization. As in other agencies throughout the government, the purpose of a policy is to assist B.I.A. officials in making decisions compatible with the stated objectives of the President, the Congress, the Secretary of the Interior, and the Assistant Secretary of Indian Affairs (formerly the Commissioner of Indian Affairs).

A policy is an ever-changing concept. It is often altered when power shifts between political parties, as happened in January, 1977, with a switch from the Ford (Republican) administration to the Carter (Democratic) administration; and in 1981 with the switch from Carter to the Reagan (Republican) administration.

Congress provides the policy direction of most federal departments through legislation which specifically authorizes the department to operate certain programs through appropriations and through oversight hearings. The changes in federal Indian policy over the past 200 years have wavered from extermination, to assimilation, to termination, to self-determination. The internal policy by which the B.I.A. operates, and the avowed policies of Congress and the President, have not always been in harmony.

The authorizing legislation for most major programs which the B.I.A. operates contain few clear-cut policy guidelines. The Snyder Act of 1921, and the Johnson-O'Malley Act of 1934 — the primary statutory authorities for most B.I.A. programs — are written in very broad and general language. Congress continued to use vague language in the Indian Self-Determination and Education Assistance Act of 1974. With a broad mandate, the B.I.A. has a wide latitude in setting its own operating policies on many issues. Program operations may move in directions that Congress had not intended. When the B.I.A. acts aggressively to protect and expand Indian rights, it acts in a manner that is consistent with the United States' trust responsibilities.

Too often, however, the B.I.A. reacts as the multi-layered bureaucracy, and finds itself either unwilling or unable to implement policies in a manner consistent with legislative intent. As a result, it maintains the status quo, and program operations do not reflect forward-thinking and progressive policies.

Occasionally, Congress has clearly expressed its intent. But even clear congressional expressions of policy seem to have little effect on the practices of the B.I.A. For example, Congress repudiated the termination policy when it passed the Menominee Restoration Act of 1972. But there are still those within the B.I.A. who advocate termination of the special relationship between the federal government and the Indian people.

Another area in which B.I.A. policy is in conflict with legislative intent is in the acquisition of new trust lands. The Indian Reorganization Act of 1934 authorized the Secretary of the Interior to acquire new lands in trust for Indian nations. Yet the current policy of many B.I.A. area offices is to prevent tribes from obtaining land under this Act. These policies, which are clearly contrary to the best interests of Indians, have no place in modern federal Indian administration.

Specific policy statements of the President of the United States are also often ignored by the B.I.A. In 1970, President Richard Nixon delivered a major speech on Indian affairs which officially committed the United States to a policy of Indian self-determination. Yet, according to many critics, implementation of the self-determination policy has proceeded at a snail's pace.

The B.I.A. has often adopted policies from other federal entities, with negative results for Indian people. In 1969, the Office of Management and Budget (O.M.B.) issued a letter to the Secretary of the Interior stating that investment of Indian trust funds should be restricted to certain types of government bonds. Federal law allowed broader discretion for these investments, but the B.I.A. chose to abide by the O.M.B.'s arbitrary decision, and invest in only those bonds which the O.M.B. sanctioned. (See the discussion on management of Indian trust funds for a more detailed explanation.)

If neither the Congress nor the President actually sets B.I.A. policy, then who does? Clearly, it is not the Commissioner (now the Assistant Secretary of Indian Affairs). While in the past, the commissioner has often declared the B.I.A. policies, and has had some influence on the policy-making process, he has not been effective in carrying out his policies. Within the B.I.A., the Commissioner has lacked sufficient staff and contact with program directors. In addition, the Commissioner has lacked control over the funding of B.I.A. programs.

ORGANIZATION AND MANAGEMENT

This brings us to a second major problem of the B.I.A.: its organization and management. The B.I.A. operates on a multi-layered field basis. A central office in Washington, D.C., is in charge of policy, control, and program administration. Twelve area offices represent broad regional divisions which assist the central office and play an important role in communication, budget allocation, and service delivery. There are 82 agency offices answering to the area offices.

Despite what organization charts and written management schemes may indicate, much of B.I.A. policy development and implementation historically has remained with the "mid-level" B.I.A. officials. These are the area directors and their assistants, the branch chiefs, and some local agency superintendents. These mid-level officials, with larger staffs and closer access to program directors, retain control over decision-making and funding priorities, and maintain a direct line of authority over the individual program directors. Program directors have been accountable for their programs' management to the mid-level officials, not to the Commissioner.

The area directors have continually contradicted or ignored the Commissioner's policies. As a result, they have wielded heavy influence over Indian tribes. For example, area offices have continually condoned the practice of state governments forcing Indians to sell their land in order to qualify for public assistance benefits. The B.I.A. Commissioner recently issued a policy statement condemning this practice, and pledging that it would not continue. But despite this pledge, some area offices continue to encourage this destructive practice. In this century, the Bureau has been a frequent target of criticism, both by the Indian people and by Congress.

B.I.A REGULATION AND MANUAL SYSTEM

The B.I.A. spells out the way it wishes to administer programs by writing agency regulations. Regulations are official binding rules, having the effect of law, which state the procedures that a government agency must follow in conducting its duties to the public. When these regulations primarily affect the public, they must be published in Title 25 of the Code of Federal Regulations (25 C.F.R.). When the regulations mainly concern internal agency operations, they are placed in the Bureau of Indian Affairs Manual System (I.A.M. & B.I.A.M.). There are, of course, overlapping areas, and therefore, problems.

Once a year, the federal government updates Title 25 C.F.R., and includes all new regulations made that year. The regulations remain in effect until they expire, are superceded, or are replaced.

When the B.I.A. feels that a matter or a regulation affects only its internal procedures, it will not follow the procedure outlined. It will merely publish the regulation in its Bureau of Indian Affairs manual system. This system, consisting of the older Indian Affairs Manual (I.A.M.) and the newer Bureau of Indian Affairs Manual (B.I.A.M.), is a huge collection of internal agency regulations that affect the general population.

It is here that a major problem occurs. Both the I.A.M. and the B.I.A.M. are seriously outdated, and contain many provisions whose legality is questionable. The criteria for eligibility for service do not have a sound legal base. These provisions in the I.A.M. and the B.I.A.M. have not been, but should have been, published in the Federal Register, and codified in 25 C.F.R. Agency personnel often use these massive manuals (42 titles) and 57 supplements) as a "Bible," and disregard common sense and compassion in order to rely on the often illegal, clearly obsolete or foolish regulations contained in the manual.

When the manual system is used in lieu of good judgement, and as a way to exclude Indian people from decision making and from needed services, it is misused. It was originally compiled as a guide to standardize procedures, both in the field and in the central office. Today, both administrative laws and internal agency guidelines are intermingled in the manuals, confusing both Indian people and Indian administrators. The B.I.A. manual system is sorely in need of a major overhaul.

MANAGEMENT OF INDIAN TRUST FUNDS — A TYPICAL PROBLEM

Indian funds become "trust" funds in two ways: (1) when federal law requires that certain Indian funds fall under United States government control; and (2) when Indian governments or individual Indians request that the federal government, through the B.I.A. hold certain monies for them. When funds come under federal control in either manner, the United States must manage such funds efficiently and productively.

The doctrine of federal "trust responsibility" requires that a very high standard of care be maintained over these Indian funds. If the federal government fails to maintain proper care, and thereby breaches its trust or its fiduciary responsibility, it can be found liable for damages. In fact, there are several recent court cases in which the B.I.A., as an agent of the federal government, has been found liable for mismanagement of Indian funds.

The federal laws governing management of trust funds are found in Title 25 of the United States Code (U.S.C.). Several sections require the deposit of these funds in the United States Treasury, and the payment of interest at a specified rate. Another U.S.C. section allows deposits in banks, and investment of trust monies in certain bonds, notes, certificates of deposit, and fully insured government public-debt obligations. But no matter whether these funds are on deposit or invested, the United States government must scrupulously maintain its trust responsibility in caring for them. This responsibility includes obtaining the highest possible rate of return on all funds in its care.

Deposit of Indian monies in the United States Treasury at specified rates of interest began during the latter part of the 19th century. A combination of declining bank interest rates and bond defaults resulted in the enactment of legislation to protect Indian funds. The low rates allowed by these laws — generally 2% to 4% simple interest per year — are seriously outdated, given the amount of Indian money currently held by the B.I.A. (some $589 million), and the prevaililng interest rate paid by banks.

Investments permitted for Indian trust funds are also in need of re-examination. 25 (U.S.C. Annotated) Section 162a, enacted in 1938, reflects the Depression-era conservatism of the times. Only "public-debt obligations of the U.S. and bonds, notes, or other obligations which are unconditionally guaranteed as to both interest and principal by the U.S." are permissible investments.

Yet even these conservative standards of investment for Indian trust funds are not being fully adhered to by the B.I.A. In a letter from Robert P. Mayo, Director of the Office of Management and Budget, to Walter J. Hickel, Secretary of the Interior, dated July 26, 1969, Mr. Mayo stated that the purchase of certain government-sponsored, privately owned securities would be treated as a loan, and would be counted within budget outlays. Therefore, if such a purchase were accomplished, it would have to be offset by reductions in other programs. What this means is that if the B.I.A wants to invest Indian money in safe, fully insured items, such as a Federal Housing Authority (F.H.A.) mortgage, the Office of Management and Budget (O.M.B.) would not allow it to do so, solely because the O.M.B. has implemented a strange accounting procedure which would count those funds invested in F.M.A. mortgages as loans. The O.M.B. would then deduct from other B.I.A programs the amount of money the B.I.A. had invested in F.H.A. mortgages.

SUMMARY OF INDIAN AGENT REPORTS OF THE FORT BELKNAP RESERVATION IN THE YEARS OF 1870-1904

In the year 1870, The Gros Ventre numbered a little over 2,000, but this number diminished to 1,300. Because of a smallpox epidemic, only the children, and most of the elderly, survived. No steps were taken to introduce the two tribes to farming at this time because of the suffering caused by the disease.

The Sioux and the Blackfoot were the main enemies of the two ribes. The Sioux usually controlled the territory around the Milk River. Both the Assiniboines and the Gros Ventres were afraid to go out and hunt because of their fear of the Sioux. As a result, their supply of game was limited, which made them more dependent on the government for furnishing their food.

A drawback for the Indians of both tribes was that the white man introduced them to whiskey. The Indians would sell their furs and robes for whatever whiskey they could get. Whiskey was sold at the posts of the agency.

A U.S. Deputy named C.L. Clark was then sent out to stop the selling of whiskey. This was successful at the post, but the Indians could still go off the post to buy from someone else, usually the half-breeds and the young white men. Clark was also sent to stop many men from robbing the government and cheating the Indians at the post.

Farming was introduced to the Assiniboines and Gros Ventres, but was not too successful. Poor soil and lack of rain or a sufficient water supply limited the growth of crops. From year to year, the people were not able to tell whether their crops would be good. But as time went by, the Indians adapted to the raising of their own group of crops. At first, they began with 25 families, and each year the families increased. The land that was generally most suitable for crops was fertile and near water, probably located around the Milk River Valley. The families started with crops such as potatoes, garden vegetables, and many kinds of grains. The Indians had a garden at the agency in the beginning, to show them how to plant and till, so that they would be able to do these things for themselves later on. Irrigation was suggested in many reports from Indian agents, but nothing was begun in this area in the earlier years. The small amount of irrigation that was begun later, however, was successful.

Indian farmers were given a lot which they tilled, and in which they planted the seeds that were issued to them by the government. They did fairly well with their crops, with the help and supervision of other farmers. The Assiniboines adapted more easily to farming than did the Gros Ventres, but the reasons for this were not stated in reports. Each year more and more Indians adapted to farming techniques, increasing the tilling of soil and the issuing of seeds, because of the changes brought about by the coming of the white men.

Another idea introduced to the Indians of Fort Belknap was that of raising stock. In 1884,the government brought in one hundred and ninety head of two-year-old cows and bulls. (Cattle had been available earlier, but the government reclaimed them, reportedly because of embezzlement by one of the agents.)

Both tribes did well in caring for the cattle. Each year the herds would increase and prosper. The Indians of both tribes enjoyed riding and herding their own stock, and also liked the sense of achievement and the financial rewards of raising stock. The Indians adapted more readily to stock raising than they did to farming. When their herds increased, the Indians sold many of their cattle back to the government, for which they were paid. Starting with the 190 head of cattle in 1884, by the year 1906, the herds were increased to 4,000 head of cattle and 3,500 head of horses.

The Indian population fluctuated through the year. The Indian agents had difficulty in counting their numbers in early years because the Indians were continually moving camp. Besides the Assiniboines and the Gros Ventres living on the territory, there were also many bands of Sioux, Cree, and River Crow. In 1875, the Assiniboines numbered 3,500 and the Gros Ventre numbered 920. This was before part of the Assiniboines moved to the Fort Peck Reservation and the Fort Belknap Agency was re-established. After this, in 1870, the number of Assiniboines was 977, and the Gros Ventres numbered 1,135. In earlier years, both tribes suffered losses because of the small pox epidemic and other diseases. In the year 1906, the population of both tribes numbered 1,227.

When the reservation was first established, the health of the Indians was poor, both because of their methods of living and because of the diseases to which they had little resistance. The agents did request physicians, which were sent at a later time. The most serious diseases which afflicted both tribes were small pox and tuberculosis.

Many tribes claimed the hunting grounds which extended from the mouth of the Milk River 106° longitude, to the west of the Bear Paw Mountains 119° longitude, and north from the Missouri River to the boundary line between the United States and the British possessions, embracing an area of about 30,000 square miles. This territory was not set apart from the Indian reservations, but was called the Indian Country. The Sioux occupied the eastern portion from the agency to the mouth of the Milk River. The Red Stones band of Assiniboines occupied the range through the center, north and south of the agency. The Gros Ventres, the Upper Assiniboines, the River Crow, and a few other tribes occupied the western portion. The Gros Ventres usually did their hunting in the Judith Basin area, and the Assiniboines usually did their hunting in the northern part of the territory and across the line into British territory.

The Fort Belknap Reservatoin was comprised of all that part of the country lying with the Missouri River on the south, the British line on the north, the Marias River on the west (Fort Benton), and the 109° parallel on the east (Zurich). This amounted to about 3,700 square miles, with Fort Assiniboine located on 1,200 of this area. In 1888, Congress passed an agreement made by the Northwestern Commission to reduce the reservation to 50,000 acres, from the middle of the Milk River to the Little Rocky Mountains. The reservation was said to be a good farming and stock raising area. The agency was located by the Milk River, and a sub-agency was located near the Little Rocky Mountains.

At first, there was no schooling for the Indians, until the agents developed a day school. This was located at the agency, and helped the young people of both tribes to learn the white man's way of life. Later, the Catholics built a mission school to educate the young Indians in the ways of Christian living.

The agents appointed a number of Indians to become police. At first, they were not effective and efficient towards their people.

The Indians' relationship with the white men was fairly good. The agents told the Indians that the white men were their friends, and that they would protect the Indians in all their rights. But the Indians did not fully believe this, because many thought that the military at Fort Assiniboine would be more disposed to drive out the trespassers on the reservation. Many of the agents believed that the only thing that would cause any trouble with the Indians and make them hostile to the whites would be the white men's insidious acts, and their violated agreements. But their relationship was good, as most all of the agents reported.

BUREAU OF INDIAN AFFAIRS

ADMINISTRATION

To provide management, development, and conservation of Indian resources. To provide the opportunity for social and economic advancement. These functions are carried out in collaboration with the Fort Belknap Tribes, and appropriate community, county, state, and federal organizations.

Provide direct services; can put an enrolled member of the reservation on the job anywhere.

Assume trust responsibilities for tribes, and protect their real property. Supervise land transactions, to realize the greatest possible returns from natural resources.

EMPLOYMENT ASSISTANCE

To provide vocational training opportunities to Indian adults who choose to pursue a vocational career for the purpose of being more qualified to enter the labor market as is it is today.

ELIGIBILTY:

Enrolled Indian adults who are high school gradutes or have G.E.D. Must possess an Indian blood degree of at least ¼ enrolled member (Gros Ventre or Assiniboine), or be a direct descendant of an enrolled member. A non-member (member of another tribe) must provide proof of at least ½ Indian blood degree.

HOME IMPROVEMENT PROGRAM

The program is designed to assist homeowners in fixing sub-standard houses. The elderly have first priority over the general population. H.I.P. is also able to help with down payments on trailers, should the financing portion be complete, and will pay on electricity if not too costly. It does not become involved with Housing and Urban Development (H.U.D.) homes.

Sub-standard — must be able to live in home before repairs are made.

Standard — when the home is in liveable condition, where no more monies are needed.

Down payments — on trailers, 20% up to $2,000.00.

ELIGIBILITY:

Tribal homeowners; must be able to do the required work on their homes.

LAW ENFORCEMENT SERVICES

To investigate all major crimes within the Indian State (Title 18, U.S.D.A., Sections 1152 & 1153), which consists of murder, manslaughter, carnal knowledge, arson, robbery, larceny, assault with intent to commit murder, assault resulting in serious bodily injury, assault with a dangerous weapon, rape, assault with intent to commit rape, incest, burglary, and kidnapping. Also to investigate all violations, or alleged violations.

Federal agents work with the Federal Bureau of Investigation from Glasgow on Fort Belknap Reservation investigations, and the F.B.I. from Great Falls on Rocky Boy Reservation investigations.

JUVENILE PROGRAM

Plans, develops, carries out a program designed for diminishing juvenile delinquency, and for rehabilitation of juvenile offenders.

To locate, take into custody, and detain juveniles who are fugitives from justice or parental control.

Assists with investigation of places of business, entertainment, and those that are suspected of contributing to the delinquent.

Work with various agencies in provision of social and protection services for children. Assists in placement of juveniles who are judged delinquent. Assists in planning, coordination, and providing juveniles with a career program, school, college, job vocations, military, etc.

NATURAL RESOURCES

ADMINISTRATION

Responsible for the management and administration of the agency's natural resource activities, which consist of the following inter-related programs:

Industrial Relations – provides services on commercial basis like forest enterprises, sawmills, agriculture, etc.

Real Property Management – consistes of real estate management, land sales, gift deed, and acquisition disposal; anything dealing with land surface and sub-surfce.

Land Operations – records including individual Indian monies.

Automatic Data Processing – keeps records on file for leasing, irrigation, personal files, business files, and enrollment.

ENROLLMENT

Enrolled individuals who meet the requirements. An individual has to be ¼ Gros Ventre or ¼ Assiniboine, or a combination of both tribes to equal ¼, to meet the requirements for enrollment.

ELIGIBILITY:

Individuals who are ¼ tribal blood.

PROCEDURES FOR ENROLLMENT:

(1) Fill out application and pay $2.00 enrollment fee; include birth certificate. When completed, submit to the Enrollment Committee for approval.

(2) Application is posted for 30 days.

(3) Council has final approval.

(4) A resolution is written and sent to Billings for approval, and then identification numbers are assigned.

Adoption would follow the same procedures as enrollment. In order to be accepted, requires a special election to be approved by referendum vote by the people who are enrolled at Fort Belknap.

FORESTRY

Develop the Fort Belknap forest resources. Reforest those parts of the Little Rocky Mountains which are not stocked, increase timber growth and yield, and protect the area. Issue timber cutting, firewood cutting, and burning permits. Protect the entire reservation from wild fires. Work with Montana Indian Firefighters (M.I.F.) crews.

ELIGIBILITY FOR FIREFIGHTER:

(1) Pass step test and physical exam.

(2) Have past fire fighting experience, or attend a two-day training session.

LEASING

Interview and discuss with prospective lessees and lessors the procedures, policies, and requirements for obtaining agricultural, business, and homesite leases, and sand and gravel permits. Prepares and/or supervises preparation of leases and permits on appropriate standard forms.

ELIGIBILITY:

Both Indian and non-Indian.

Area: Fort Belknap Reservation.

Age: 21 and over.

Trust land only is leased through this office.

RANGE

Responsible for the Range Management Program on approximately 500,000 acres of grazing land on the Fort Belknap Reservation.

Prepares and approves leases. Oversees tribal leases to make sure their leases are not violated. This division has the expertise and maintains records to provide to the tribe. Keeps them informed. Tribal members get preference for grazing, providing they own their stock.

REALTY

To administer real estate services such as selling, buying, or exchanging of allotted and tribal lands. Probating of estate lands. Oil and gas leasing.

ELIGIBILITY:

All enrolled members of Fort Belknap.

ROADS

To maintain the reservation road system as established by the tribe in accordance with funding provided. To construct certain roads on the public road system as established by tribal priority.

ELIGIBILITY:

All "public" roads with established right-of-way.

Emergency road service to private homes approved only by the Superintendent.

SOIL & MOISTURE CONSERVATION

To make the best use of all natural resources without depleting them. This would include (but is not limited to) water, soil, plants, animals, and certain mineral resources on the Fort Belknap Reservation.

ELIGIBILIGY:

Reservation residents — Indian and non-Indian.

Strictly limited to the Reservation. Projects include surveying for dams, irrigation systems, land leveling, etc.

SOCIAL SERVICES (B.I.A.)

CHILD WELFARE

The welfare of children is Social Services' first priority; its major goal to keep families together, provide foster care when needed, implement the Indian Child Welfare Act, and coordinate services with other agencies. Recruitment of Indian foster parents.

ELIGIBILITY:

Any child who is ¼ degree Indian blood quantum of any federally recognized tribe and/or determined eligible according to the Indian Child Welfare Act.

Any child who is between 0 and 18 years of age.

INDIVIDUAL INDIAN MONIES

Superintendents usually hold monies of Social Services minors. Elderly, S.S.I., lease, land sale, Aid For Dependent Children (A.F.D.C.), programming supervision.

ELIGIBILITY:

Any person of any age, living on the Fort Belknap Reservation with limited income.

GENERAL ASSISTANCE

Providing financial assistance to the eligible financially needy Indian residents of the Fort Belknap Reservation.

ELIGIBILITY:

Any person of ¼ Indian blood quantum of any federally recognized tribe who is living on the Fort Belknap Reservation. Any person of any age, with income according to the state economic assistance budget. Person must be available for employment.

REVOLVING CREDIT

Loans are made primarily to raise the social and economic status of members of the community to the point at which they can seek the same sources of financing as other citizens. To apply, two letters of denial from other lending institutions are needed. Revolving Credit takes security on a mortgage, brand liens, equipment, crops, real estate, and trust income.

The purpose of the program is to seek outside lending through the Farmers' Home Administration (F.H.A.), Production Credit Association (P.C.A.), the Federal Land Bank, etc. Revolving Credit lends mostly for operating expenses in farming and ranching, real estate for homes, and land purchases to those who are unable to obtain financing on reasonable terms and conditions from other sources. Funds are limited, and depend upon loans that are repaid from all borrowers.

ELIGIBILITY:

Anyone who is an enrolled member of a federally recognized tribe.

Age 21 — follows tribal requirements (must be an adult).

Collateral — lease money, real estate, brand liens, secure equipment.

Interest — 10%.

Real estate — 9½%.

SHORT-TERM LOAN PROGRAM

To lend money to enrolled members of the Fort Belknap Indian community. Security required consists of trust income (lease money). The amount of the loan varies from $50.00 to $500.00. The borrower or co-signer should be secured by trust income for the amount of the loan.

Other security offered can be a wage agreement upon approval of the Credit Committee. Usually wage agreements are made for $50.00, deducted from employees' salary bi-weekly until the loan is paid in full.

ELIGIBILITY:

Age: 21 and over, following tribal requirements.

Must have trust income (lease money, etc.)

Borrowers must pay 12% interest on all money borrowed.

COMMODITY FOOD AND NUTRITION PROGRAM

Commodity food and distribution to qualified members once a month. Food stamp out-reach for Fort Belknap communities. Garden Project to qualified applicants for plowing and garden use.

ELIGIBILITY:

These programs are for low income families. Monthly income rates.

Virtually all Indians were supported by government issues of rations. Deer hunted in the winter and berries and roots gathered in the summer helped to increase the food supply for the various families. Annuities in the form of clothes, chairs, bed quilts and blankets were added for their self-sufficiency.

The system of annuities was continued until about 1898, when it suddenly ceased. Heretofore, annuities were given in the form of stoves, mattresses, blankets, and hardware, to be used in the building of log cabins. With the cessation of annuities, the Indians were expected to furnish their own supplies through their own labor. However, the system of rations was continued for the old, the sick, and the invalid.

With the cessation of annuities, stock was again issued to the Indians in an attempt to make them self-supporting through their own efforts. Stock was issued in 1901, with a number of Assiniboine learning in a rapid manner the care necessary for cattle.

In connection with the rations system, the local agency would buy from two to four hundred cattle per year from the Indians for use in the weekly rations. Of a total population of over twelve hundred on the reservation in 1901, over 480 were on the ration roll. The rations as given out weekly were as follows:

Beef — 2 lbs.

Flour — 1 lb.

Coffee — 5 lbs. for 100 rations

Sugar — 14 lbs. for 100 rations

Baking Powder — 1 lb. for 100 rations

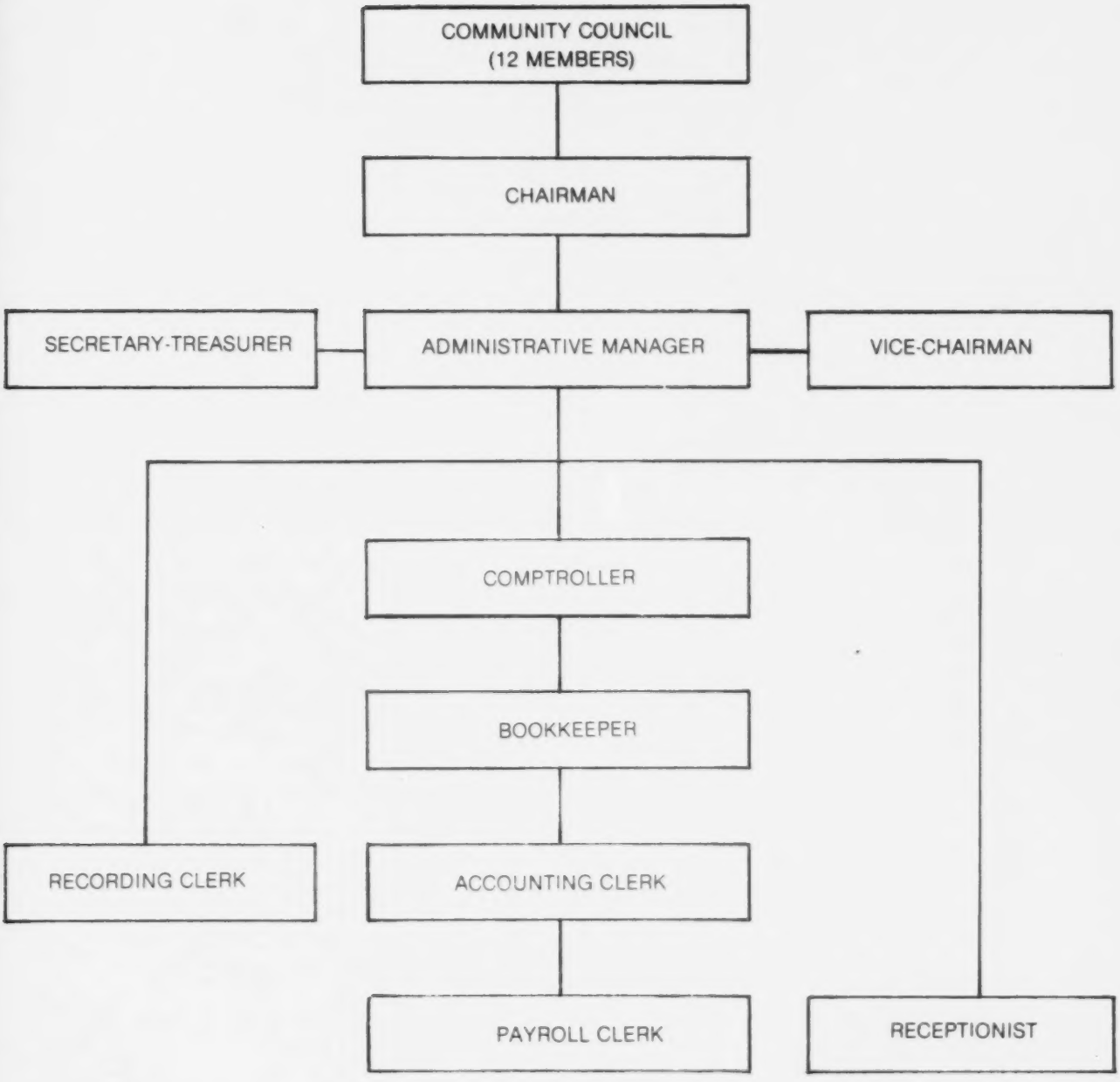
Soap — 1 lb. for 100 rations

Salt — 1 lb. for 100 rations

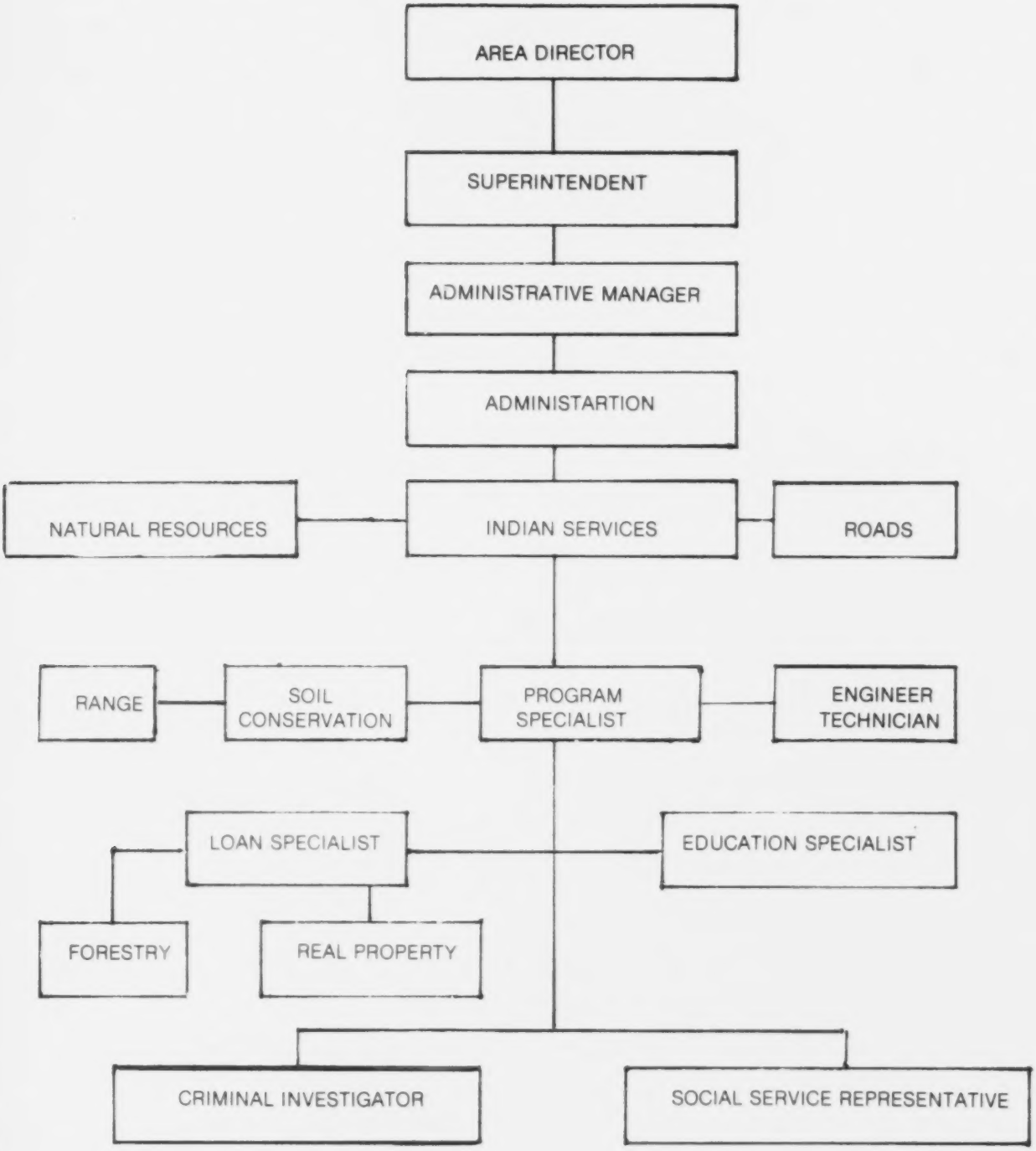
Prunes — 14 lbs. for 100 rations

These rations were insufficient for the proper nourishment of those who were unable to add to their diet through their own efforts. Added to this was the fact that numerous young men were living on the rations of their elders. This difficulty was in part solved by a prevailing pattern of sharing the food of those who had a little to spare. The rations systems was also indirectly responsible for the failure of the Assiniboine to become economically self-sufficient through the raising of cattle.

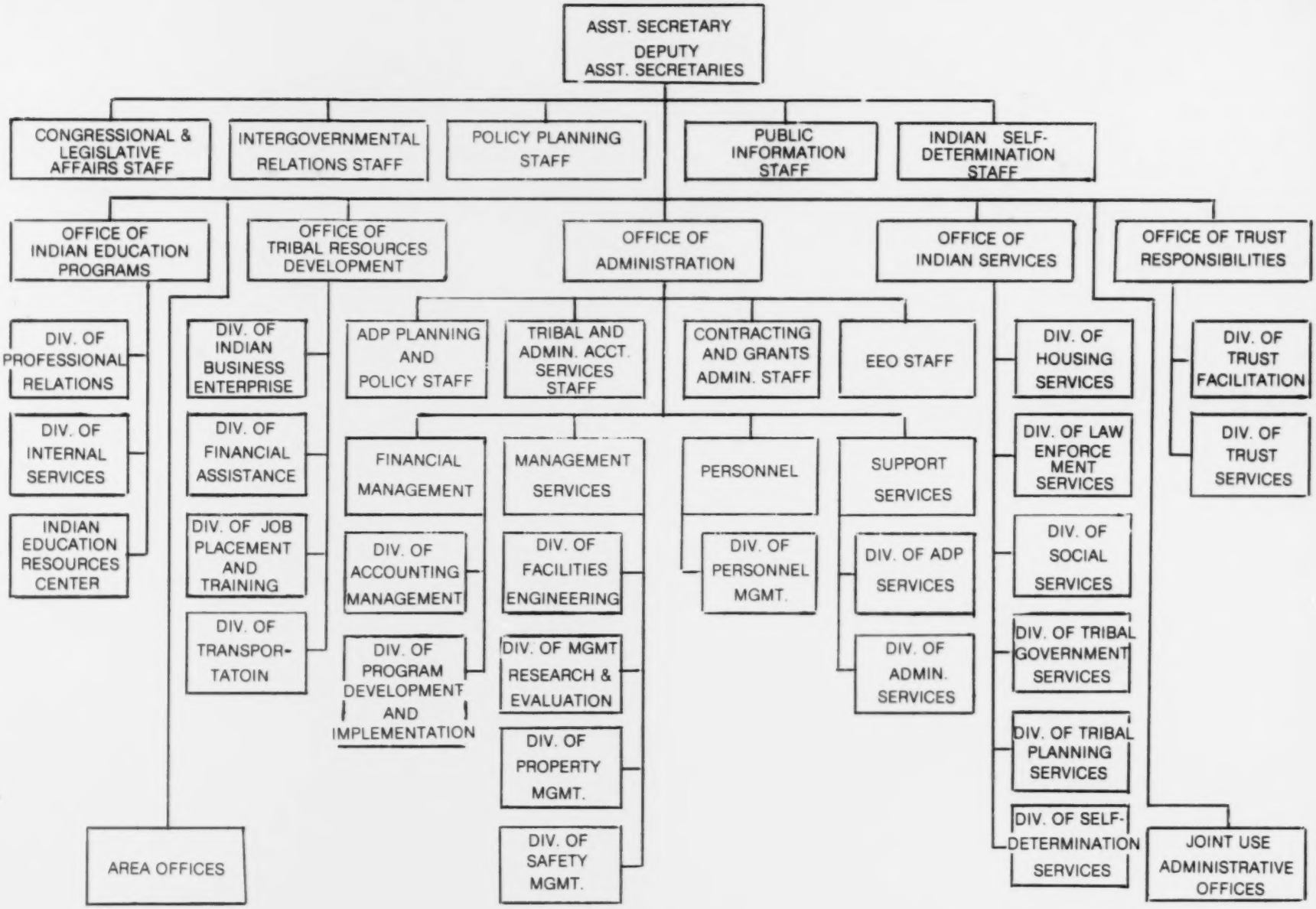
TRIBAL STAFF OF
THE FORT BELKNAP INDIAN COMMUITY



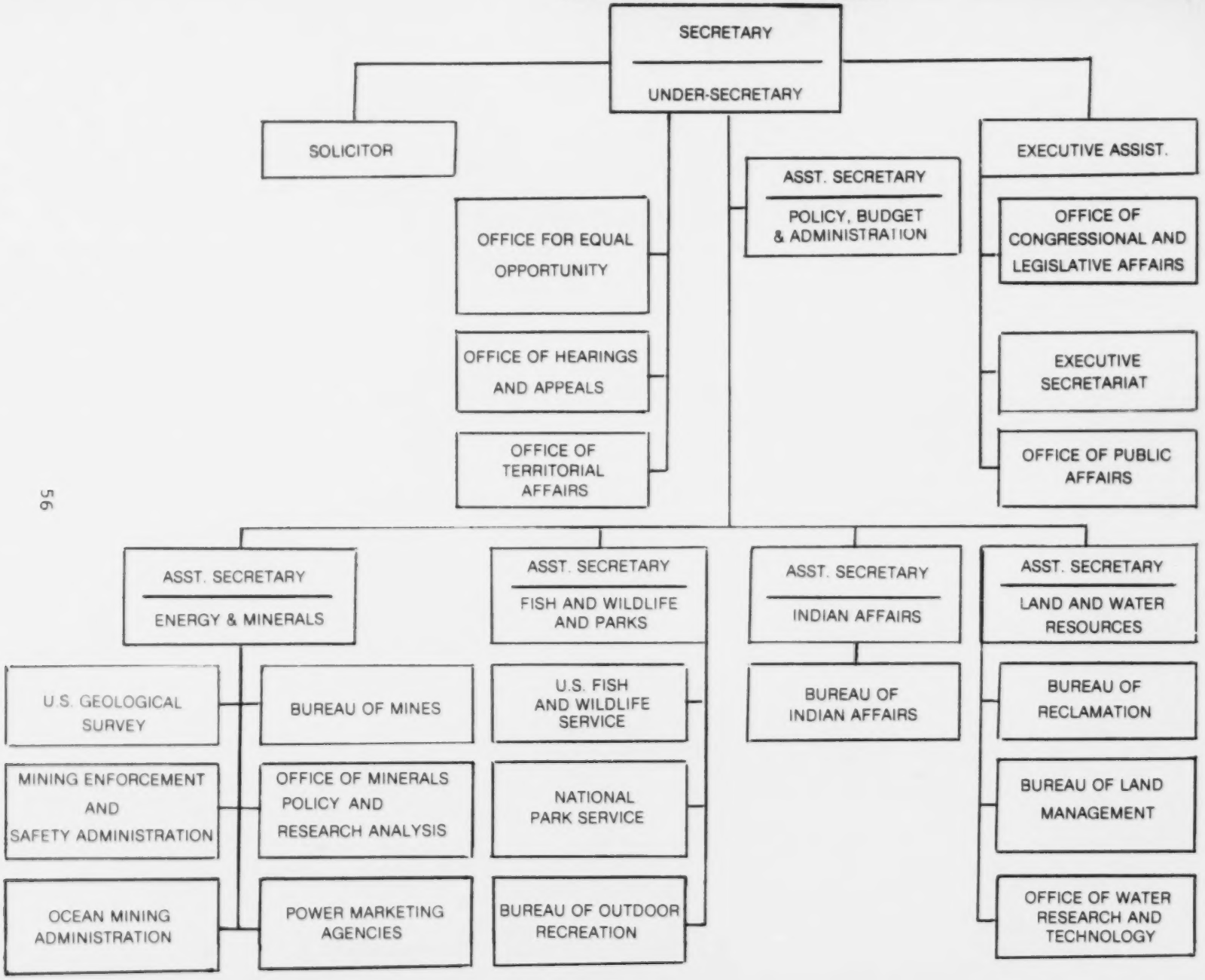
BUREAU OF INDIAN AFFAIRS
FORT BELKNAP AGENCY



BUREAU OF INDIAN AFFAIRS
ORGANIZATION



DEPARTMENT OF THE INTERIOR



FORT BELKNAP ADMINISTRATION FOR NATIVE AMERICANS

The administration for the Native American programs has undergone a change since July 1, 1981. The change was caused by a national policy change by Health Services. The old community action-type programs and activities are no longer in effect because of funding. Since July 1st of this year, they have become the Fort Belknap Human Services Department.

The primary goal of the Human Services Department is to develop and improve comprehensive tribal social systems, and to improve access to programs which safeguard the health and welfare of individuals, families, and communities within the reservation's boundaries. The program also provides and maintains on-going services needed to meet social development demands. The services that are being provided by the Department are as follows:

PROGRAM	SERVICES
1. Food Distribution Program	Commodities
2. Food Stamp Issuance Program	Food stamps
3. Food Stamp Outreach	Access/certification
4. Low Income Energy Assistance Program	Fuel/utility assistance
5. Weatherization Program	Home thermal efficiency services
6. Elderly Nutrition Program	Congregate and home-delivered meals to elderly 60 and over
7. Recreation Program	Recreation and social-type activities for general community
8. Community Food and Nutrition Program	Garden projects in summer for low income
9. Crisis Intervention Program	Emergency energy assistance

The objectives for fiscal year 1981-82 are to develop at least five (5) goals for tribal social development for the next three years.

TRIBAL RECREATION PROGRAM

Service: Administration for Native Americans
Address: P.O. Box 819
Fort Belknap Agency
Harlem, MT 59526
Telephone: 353-2205 Ext. 415
Location: Fort Belknap Recreation Complex
Purpose: To coordinate all developing recreational activities as organized for all cultural, athletic, and social groups within the community.
To develop a full-fledged recreation department staff that will be able to coordinate worthwhile activities.
Additional Information: Recreation Complex hours:

Roller Skating:
Sunday - Thursday, 6:30 - 9:00 p.m.
Monday - Friday, 1:30 - 4:00 p.m.
(IF NO WORKSHOPS)

Swimming:
Sunday - Thursday, 6:00 - 8:00 p.m. — Public
Sunday - Thursday, 8:00 - 9:00 p.m. — Adults Only
Monday - Friday, 1:30 - 4:00 p.m. — Public

Gym:
Sunday - Thursday, 6:30 - 9:00 p.m. — Open
Monday - Friday, 1:30 - 4:00 p.m. — Open

The complex can also be reserved for special events, such as boxing, dances, wakes, etc. for a fee. Contact Sharon Halver for more information.

TRIBAL STAFF OF THE FORT BELKNAP INDIAN COMMUNITY

1. COMMUNITY COUNCIL (12 members) – The Fort Belknap Indian Community Council consists of 12 members. Six of the members are from the Gros Ventre tribe, and six of the members are from the Assiniboine tribe.
2. CHAIRMAN – The Chairman's duty is to preside at all meetings of the Council, and to direct the work of its officers and committees.
3. VICE-CHAIRMAN – It is the duty of the Vice-Chairman to take over as Chairman whenever the Chairman is absent. In the event that the Chairman dies or is removed from office, the Vice-Chairman will serve the remainder of the term as Chairman.
4. SECRETARY-TREASURER – It is the duty of the SecretaryTreasurer to conduct the correspondence of the Community Council, and to keep all records and reports of business transactions.
5. ADMINISTRATIVE MANAGER – The Administrative Manager's duty is to help to develop the tribal administration, and to strengthen tribal government.
6. RECORDING CLERK AND RECEPTIONIST – It is the duty of the Recording Clerk and Receptionist to serve as members of the administrative staff, doing such things as keeping records and reports of all administrative work being done.
7. COMPTROLLER, BOOKKEEPER, ACCOUNTING CLERK, PAYROLL CLERK – It is the duty of the comptroller, bookkeeper, accounting clerk, and payroll clerk to take care of all financial records and reports.

FORT BELKNAP INDIAN COMMUNITY COUNCILMEN
1938-1980

GROS VENTRE	YEAR	ASSINIBOINE
	1938-1939	
Thomas Badroad		Ed Kirkaldie
Thomas Main		Simon Firtshoot
Rufus Warrior		Russell Young
Clarence Brockie		Joseph Howard
Robert Mount		William Bigby
George Cochran		Raymond Feather
	1940-1941	
Thomas Main		Joseph Howard
Clarence Brockie		Richard King
Rufus Warrior/Victor Brockie		Russell Young/Joe Walkslow
George Cochran/Al Blackbird		William Crasco
Robert Mount		Joseph Tucker
Frank Fisher		William Snell
	1942-1943	
Clarence Brockie		William Bigby
Thomas Main		Joseph Howard
Victor Brockie	Richard King	
Ben Horseman		Frank Kirkaldie, Jr.
Robert Mount		Frank Ohlerking
Peter Stiffarm		Robert Lodge
	1944-1945	
Frank Fisher		Richard King
Robert Mount		William Bigby
Victor Brockie		Russell Young
Clarence Brockie		Frank Ohlerking
Ben Horseman		Frank Kirkaldie
Thomas Main		John Dragonfly

	1960-1961	
Dave Hawley II		Joseph Plumage/Gilbert Horn
Rufus Warrior		Herbert Fish
George Fox I		Andrew Gray
Marguerite Cole		Richard King
J. Matt Bell		James Hawley
Preston Bell		James Hawley
Preston Bell		Frank Kirkaldie
	1962-1963	
Marguerite Cole		James Hawley
Mabel Bradley		Richard King
James Main		Frank Kirkaldie
Dallas Walker		Mark Rex Flying
George Fox		Andrew Gray
John Minugh		Wallace Bear
	1964-1965	
Thomas Bell		Gilbert Horn
Henry Fox		Milton Horn
Dorance Horseman		George Speakthunder
Jerome Main		Wallace Bear
Lyman Young		Andrew Gray
Clarence Adams		Frank Kirkaldie
	1966-1967	
Thomas Bell—2 years/Gerald Walsh		Gilbert Horn—2 years
Dorance Horseman—2 years		Herbert Fish—2 years
Clarence Adams—2 years		Andrew Gray—2 years
Donald Martin—4 years		Wallace Bear—4 years
Leo Brockie, Jr.—4 years		John Crasco—4 years
Lyman Young—4 years		James Hawley—4 years
	1968-1969	
Don Martin		Wallace Bear/Andrew Gray
Leo Brockie/Preston Bell		John Crasco
Lyman Young		James Hawley
Clarence Adams—4 years		Wilbur Bigby—4 years
John Capture—4 years		Gilbert Horn—4 years
Gerald Walsh—4 years		Richard King—4 years
	1970-1971	
Clarence Adams		John Crasco
John Capture		Wilbur Bigby
Gerald Walsh		Gilbert Horn
Theodore Cochran		John Allen
Preston Bell		William Tucker
Don Martin		Joe Kirkaldie
	1972-1973	
Theodora Cochran		John Allen
Don Martin/Joe Brown		Joe Kirkaldie
Preston Bell		William Tucker/Dallas Howard
Tennyson Boe		John Crasco/Basil Longfox
Lyman Young		Charles Gray
James Main		Arnold Allen

1946-1947

Victor Brockie	Robert Lodge
Ben Horseman	Ray Helgeson
Thomas Main	Joe Walkslow
James Cochran	Frank Kirkaldie
Clarence Brockie	Joh Dragonfly
John Walker	Frank Ohlerking

1948-1949

Rufus Warrior	Joe Walkslow
Dave Hawley	Andrew Gray
John J. Mount	Robert Lodge
James Cochran	Frank Ohlerking
Carl Grant	Frank Kirkaldie
George Fox	John Dragonfly

1950-1951

Carl Grant	Joe Walkslow
Thomas Main	William Bigby
George Cochran	Andrew Gray
Ben Horseman	Mark Rex Flying
George Fox	William Kirkaldie
Robert Mount	Frank Kirkaldie

1952-1953

John Capture	Frank Kirkaldie
Thomas Main/Rufus Warrior	Mark Rex Flying
John J. Adams	Frank Ohlerking
J. Byard Hawley	Ira Talks Different
Carl Grant	Albert Snell
George Fox	Jim Hawley

1954-1955

Rufus Warrior	Frank Ohlerking
Thomas Bell	Mark Rex Flying
Dorance Horseman	Andrew Gray
Joseph Blackbird	Albert Snell
Clarence Brockie II	Frank Kirkaldie
George Cochran	James Hawley

1956-1957

John Capture	Andrew Gray
George Cochran	Mark Rex Flying
Carl Grant/Calvin Pete Gone	Frank Kirkaldie
Thomas Bell	Albert Snell/Bennie Bear
Mabel Bradley	John Crasco
Tom O'Bryan	James Hawley

1958-1959

J. Matt Bell	Amos First Raised
Victor Brockie	Gilbert Horn
John Capture	Dave Kirkaldie
John J. Mount	Wallace Bear
Peter Stiffarm	Frank Ohlerking
Fannie Stewart/Marguerite Cole	Herbert Fish

1974-1975

James Main	Charlie Gray
Lyman Young	Arnold Allen
Dave Hawley	Basil Longfox
Tennyson Boe	John Allen
Arnold Plumage	Jack Plumage
Joe Brown	Gilbert Horn

1976-1977

Joe Brown	Basil Longfox/Gerald Healy
Dave Hawley	Jack Plumage
Arnold Plumage	Gilbert Horn
Tennyson Boe	Franklin Perez
Joe McConnell	John Allen
Frank Cuts the Rope	Donovan Archambault

1978-1979

Tennyson Boe	Franklin Perez
Joe McConnell	John Allen
Frank Cuts the Rope	Donovan Archambault/Jennie Gray
John J. Mount	Jack Plumage
Henry Brockie	Tom Parnell
Lyman Young	Daryl Crasco

1979-1980

Joe Ironman—Vice-Chairman	Charles D. "Jack" Plumage—Chairman
Joe McConnell	Franklin Perez—Secretary-Treasurer
Jessie James	John Allen
John J. Mount	Jennie Gray
Henry Brockie	Tom Parnell
Lyman Young	Daryl Crasco

THE FORT BELKNAP TRIBAL GOVERNMENT

In 1888, the government passed an act that established three Montana Indian reservations, the Blackfeet, the Fort Belknap, and the Fort Peck Reservations. It was not until 1935 that the Fort Belknap Community was established under the Howard Wheeler Act. Soon after the Wheeler Act was passed, the Fort Belknap Community adopted a constitution and bylaws. The purpose of the Constitution and Bylaws of the Fort Belknap Community is to secure to the enrolled members and their descendants the management of their own affairs, and to insure the people on the Fort Belknap Reservation that they will have a satisfactory place to live.

The first part of the Fort Belknap Constitution is the Preamble. It states that:

"We, the duly enrolled members of the Fort Belknap Reservation in the State of Montana, in order to secure to ourselves and our descendants the management of our own affairs, and to perpetuate this Reservation as an abiding place for the members of this community, do establish this constitution of the Fort Belknap Indian Community."

ARTICLE 1: OBJECTIVES

Article One deals mainly with the objectives that the members of the Fort Belknap Community wish to accomplish; objectives such as (a) To establish and maintain, with the aid of the federal government, a form of home rule that shall promote the advancement and welfare of the Indians of the Fort Belknap Reservation; (b) To establish and enforce such rules as may be necessary to safeguard Indian property for the use of present and future generations; and (c) To obtain for all Indians of this Community, of the present and future generations, lands needed for home and livelihood.

ARTICLE 2: TERRITORY

Article Two of the Constitution deals with the jurisdiction of the Fort Belknap Indian Community. The jurisdiction of the Fort Belknap Reservation extends to all lands now contained within the Fort Belknap boundaries, and to any lands that may in the future be added.

ARTICLE 3: MEMBERSHIP

Article Three deals mainly with membership of the reservation, defining who is eligible for tribal rights. It is broken down into sections so that every aspect can be clearly defined.

SECTION ONE: ORIGINAL MEMBERS OF COMMUNITY

Every living person whose name appears on the allotment roll of the Fort Belknap Reservation, prepared and approved pursuant to the Act of March 3, 1921, shall be entitled to membership in the Fort Belknap Community.

SECTION TWO: DESCENDANTS OF ALLOTTEES

Each person of one-fourth (¼) or more Indian blood, regardless of residence, born heretofore or hereafter any member or descendant of a member of the Community whose name was or is on the allotment roll of the Fort Belknap Reservation, prepared and approved pursuant to the Act of March 21, 1921, shall automatically be entitled to membership in the Community.

SECTION THREE: ADOPTION

The Community may, by majority of the votes cast by the members of the Community, adopt as a member of the Community any person of one-eighth (1/8) degree or more Indian blood who is a descendant of a member of the Fort Belknap Community and/or an allottee, provided that any person,to be eligible for adoption, must have resided for at least three (3) consecutive years upon the Fort Belknap Reservation, and provided further that such person has not received membership in any other tribe of Indians.

SECTION FOUR: LOSS OF MEMBERSHIP

In no case shall a member lose his membership, other than by personal request in writing to the Community Council, or by reason of his having established legal residence in a foreign country.

SECTION FIVE: DEFINITION

Whenever the term "Indian Blood" is used in this article, it shall be determined to mean the blood of either or both the Assiniboine or the Gros Ventre tribes of the Fort Belknap Reservatoin.

SECTION SIX: CURRENT MEMBERSHIP ROLL

The membership roll of the Fort Belknap Community shall be kept current by striking therefrom the names of persons who have relinquished in writing their membership in the Community, or have established legal residence in a foreign country, and of deceased persons upon receipt of a death certificate or other evidence of death acceptable to the Community Council, and thereto the names of persons who meet the membership requirements, and who comply with the procedures for enrollment as members of the Community.

SECTION SEVEN: APPEALS

Any person who has been rejected for enrollment as a member of the Community, except those rejected under Section 3, shall have the right to appeal within 60 days from the date of written notice of rejection to the Secretary of the Interior from the decision of the Community Council, and the decision of the Community Council and the decision of the Secretary of the Interior shall be final.

SECTION EIGHT: RULES OF PROCEDURE

The Community Council shall have the authority to prescribe rules to be followed in compiling a membership roll in accordance with the provisions of this article, the completed roll to be approved by the Fort Belknap Community Council; and in case of distribution of Community assets, the roll shall be submitted to the Secretary of the Interior for the final approval.

ARTICLE 4: ORGANIZATION OF THE COMMUNITY COUNCIL

Article Four deals mainly with the organization of the Fort Belknap Tribal Council. It consists mostly of how the council members are selected and what their duties are.

SECTION ONE: COMPOSITION

The Community Council shall be composed of twelve (12) members, six (6) of whom shall be chosen every second year by popular vote. Each candidate for councilman shall pay a filing fee of $10.00.

SECTION TWO: APPORTIONMENT

Representation of the Community Council shall consist of six Gros Ventre and six Assiniboine members, who shall be apportioned among the districts according to the population of the members of the two tribes in the respective districts. The actual enumeration shall be made prior to July 1 of each election year.

SECTION THREE: TENURE

At the first election under this amendment, the three (3) Gros Ventre and three (3) Assiniboine members receiving the highest number of total votes shall be elected for a four (4) year term of office; and the three (3) Gros Ventre and three (3) Assiniboine members receiving the next highest number of total votes shall be elected to a two (2) year term of office; thereafter, the members of the Community Council shall be elected to serve for a period of four (4) years, and may succeed themselves as often as re-elected.

SECTION FOUR: OFFICERS

The officers of the Community Council shall consist of President, Vice-President, and Secretary-Treasurer; and these officers shall be chosen by the Council when properly convened. Officers shall be elected from the Council membership.

ARTICLE 5: POWERS OF THE COMMUNITY COUNCIL

Article Five defines the powers of the Community Council. It is broken down into four sections for better understanding.

SECTION ONE: ENUMERATED POWERS

The Council of the Fort Belknap Community shall have the following powers, the exercise of which shall be subject to popular referendum as provided hereafter:

(a) To negotiate with the federal, state, and local governments on behalf of the community, and to advise and consult with the representatives of the Interior Department of all activities of the Department that may affect the Fort Belknap Community.

(b) To employ legal counsel for the protection and advancement of the rights of the community and its members, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior.

(c) To approve or veto any sale, disposition, lease, or encumbrance of tribal land, interests in land, or other assets which may be authorized or executed by the Secretary of the Interior or his duly authorized representatives, provided that no community lands shall ever be sold or encumbered, but may be leased for the purpose for periods consistent with existing law.

(d) To submit, through proper governmental channels, recommendations for the expenditure of federal funds for tribal support, reimbursable assistance, reservational improvements, health, education, and other necessary activities looking toward the advancement of the members of this community.

(e) To borrow money from the federal government in accordance with the terms of a corporate charter to be issued to the Fort Belknap Indian community.

(f) To manage the economic affairs of the community, and to appropriate available funds for public purposes.

(g) To assess fees against members of the community or their property to obtain funds for the payment of expenses of the Community Council, or for carrying on any project that, in the council's opinion, may be beneficial to the community as a whole. Provided, however, that any district not directly benefited by any project under contemplation may, by a majority vote of the people of the district, exempt itself from such assessment. In case of any dispute as to whether a certain district is benefited by a given project, any party may appeal to the Commissioner of Indian Affairs for final determination.

(h) To exclude from the territory of the community persons not legally entitled to reside therein under ordinances which shall be subject to review by the Secretary of the Interior.

(i) To establish ordinances, subject to review by the Secretary of the Interior, governing law enforcement on the reservation, and to set up courts for the trial and punishment of offenders against such ordinances, in cases that do not fall within the jurisdiction of the Federal Court.

(j) To purchase land of the members of the community for public purposes, under condemnation proceedings in courts of competent jurisdiction.

(k) To prohibit the overgrazing of lands or other depletion of the capital or natural resources of the community by ordinances which shall be subject to approval by the Secretary of the Interior.

(l) To establish ordinances relating to the assignment, use, or transfer of tribal lands within the jurisdiction.

(m) To regulate the inheritance of real and personal property, other than allotted lands, within the territory of the community.

(n) To regulate the domestic relations of members of the community.

(o) To provide for the appointment of guardians for minors and mental incompetents by ordinance or resolution, subject to review by the Secretary of the Interior.

(p) To make recommendations to the Superintendent or the Commissioner of Indian Affairs or the Secretary of the Interior concerning the appointment and removal of employees assigned to duties on the Fort Belknap Indian Reservation.

(q) To appoint subordinate boards and tribal officials, and to provide for the popular election of subordinate district councils, and to delegate to such boards, councils, or officials, or the cooperative associations which are open to all members of the community, any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated power.

(r) To promulgate ordinances, subject to review by the Secretary of the Interior, providing for the assessment and collection of license fees from non-members doing business or obtaining any other special right or privilege within the reservation, including townsites therein.

SECTION TWO: MANNER OF REVIEW

Any resolution or ordinance which, by the terms of this Constitution, is subject to review by the Secretary of the Interior, shall be presented to the Superintendent of the reservation, who shall, within ten (10) days thereafter, approve or disapprove the same. If the Superintendent shall approve any ordinance or resolution, it shall thereupon become effective, but the Superintendent shall submit a copy of the same bearing his endorsement to the Secretary of the Interior, who may within 90 days from the date of enactment, rescind the said ordinance or resolution for any cause by notifying the Community Council of such remission. If the Superintendent shall refuse to approve any resolution or ordinance submitted to him within ten (10) days after its enactment, he shall advise the Community Council of his reasons therefore. If these reasons appear to the Council insufficient, it may, by a majority vote, refer the ordinance or resolution to the Secretary of the Interior, who may, within ninety (90) days from the date of its enactment, approve the same in writing, whereupon the said ordinance or resolution shall become effective.

SECTION THREE: FUTURE POWERS

The Council of the Fort Belknap Community may exercise, subject to popular referendum, such further powers as may, in the future, be delegated to the community by the Secretary of the Interior, or by any other duly authorized official or agency of government.

SECTION FOUR: RESERVED POWERS

Any rights and powers heretofore vested in the tribes of the Fort Belknap Indian Community, but not expressly referred to in this Constitution, shall not be abridged by this Article, but may be exercised by the people of the Fort Belknap Community through the adoption of appropriate bylaws and constitutional amendments.

ARTICLE 6: INITIATIVE AND REFERENDUM

Whenever a matter of great importance comes before the Council, the councilmen shall by resolution duly passed submit the matter to the vote of the people. If they do not so agree to submit the question, any two (2) members of the council, or one hundred (100) members of the community may, within thirty (30) days after the vote of the Council, call such a popular referendum, but no councilmen shall call more than two referendum elections during any calendar year. When a referendum election has been called, the question to be voted on shall be posted at the voting places for at least ten (10) days prior to the election. The notice shall contain the ordinance or resolution to be voted on with the accompanying words: "SHALL THE ORDINANCE (OR RESOLUTION) BE APPROVED. YES ( ) NO( )." The will of the majority of those voting shall be the law, provided at least one-third of the eligible voters actually vote.

ARTICLE 7: ELECTIONS

Article Seven deals mainly with how the elections on the Fort Belknap Reservation are designed.

SECTION ONE: RIGHT TO VOTE

All members of the community of either sex, 21 years of age or over, are entitled to vote at any election when he or she presents himself or herself at any polling place on the reservation. The election of all councilmen shall be submitted to the entire electorate of the community.

SECTION TWO: TIME OF ELECTIONS

Elections of membership on the Community Council shall be held on the first Tuesday in November of every second year. Duly elected councilmen will take office on the first Monday of January of the succeeding year. At the first election under this Amendment, the six (6) councilmen duly elected for a period of two (2) years shall serve until the first Monday of January, and the six (6) councilmen duly elected for a period of four (4) years shall serve until the first Monday of January.

SECTION THREE: MANNER AND PLACE OF ELECTIONS

Elections shall be taken by ballot, and polling places in each district shall be established by the Council. The Council shall appoint three election judges to serve at each polling place for each election, and the judges shall certify the results of the election.

SECTION FOUR: MONINATIONS

Candidates for elections to membership on the Community Council shall give public notice of such intention at least thirty (30) days prior to the election, and at the same time file with the Secretary of the Council a certificate of such intention endorsed by five (5) duly qualified electors other than immediate relatives.

ARTICLE 8: REMOVAL FROM OFFICE

Article Eight deals with the procedures and reasons for removing members from the Community Council. It is broken into three sub-sections.

SECTION ONE: FORFEITURE OF OFFICE

Any member of the Community Council who shall be absent from three consecutive regular meetings of the Council, unless such absence shall be excused for cause, or who shall be convicted of any offenses involving dishonesty, shall automatically forfeit his office.

SECTION TWO: IMPEACHMENT

The Council may expel a member for cause by a two-thirds vote, after due notice of charges, and allowing an opportunity to be heard.

SECTION THREE: VACANCIES

When vacancies happen in the representation from any district, the president of the Council shall issue a writ of election to fill such vacancies. At least thirty (30) days' notice of such election shall be given.

ARTICLE 9: AMENDMENTS

Article Nine is probably the most important of the Articles of the Constitution, because it is the procedure that may and can change all of the procedures listed in both the Constitution and the Bylaws. It states that:

> This Constitution and Bylaws may be amended by a majority vote of the qualified voters of the community voting at an election called for that purpose by the Secretary of the Interior, provided that at least thirty percent (30%) of those entitled to vote shall vote in such election; but no amendment shall become effective until it shall have been approved by the Secretary of the Interior. It shall be the duty of the Secretary of the Interior to call an election on any proposed amendment, at the request of the Council, or upon presentation of a petition signed by one-third (⅓) of the qualified voters, members of the community.

BYLAWS OF THE FORT BELKNAP COMMUNITY COUNCIL

The Bylaws of the Fort Belknap Community Council were adopted the same year as the Constitution, in 1935. The Bylaws deal mainly with the duties of the Tribal Council, qualifications of office, salaries, meetings and procedures, and the care of tribal lands. The Bylaws consist of six Articles.

ARTICLE 1: DUTIES OF THE OFFICERS

Article One consists of descriptions of the duties of the three officers of the Tribal Community Council: the President, the Vice-President, and the Secretary-Treasurer.

SECTION ONE: PRESIDENT

It shall be the duty of the President to preside at all meetings of the Council, and to direct the work of its officers. He shall appoint such standing committees as are provided for in the Bylaws and the Constitution, and such temporary committees as the business of the community may require. He shall issue all necesary writs for regular or special elections, setting dates, place of polling, cause due notices to be posted, and in other ways perform any and all duties devolving upon his office with diligence and dispatch.

SECTION TWO: VICE-PRESIDENT

The Vice-President shall preside at any meeting of the Council from which the President is absent, and in the event of the death of the President or his resignation or removal from office, he shall serve the reamainder of the term as President.

SECTION THREE: SECRETARY-TREASURER

The Secretary-Treasurer shall conduct the correspondence of the Community Council, shall keep all records, minutes of meetings, roster of members, and records as to expenditures and allotments of tribal, gratuitous, or other funds over which the Council has sole charge. He shall keep an accurate record of all members of the community, prepare necessary resolutions for appropriate action by the Council. He shall prepare or cause to be prepared, by such assistants as are assigned to him by the President, such reports or registers as the President or Council may direct. He shall be required to give bond acceptable to the community and the Commissioner of Indian Affairs.

ARTICLE 2: QUALIFICATIONS OF OFFICE

Article Two consists of qualifications that are needed and required before a Council member can be elected to the Community Council. No person shall represent the community on the Council unless he is a duly enrolled member of the community who has attained the age of twenty-five (25) years and who has never been convicted of a major crime.

ARTICLE 3: SALARIES

The salaries of the councilmen and committeemen have over the years changed considerably. In 1935 when the Constitution and Bylaws were first adopted, Article Three stated:

"The councilmen shall receive as compensation for their services not to exceed $3.00 per day while in session, and a mileage fee of five cents per mile for travel from their home to place of meeting and return. Expenses shall be paid from tribal funds. The Community Council may fix salaries of officers or committeemen."

Since that time, salaries have changed to $100.00 a regular Council meeting with a fee of 25¢ per mile. The councilmen also receive a fee of $50.00 a meeting for each regular committee meeting such as land, employment, housing, etc. The councilmen also receive the 25¢ mileage fee.

The Community Council has given the officers over the years a fixed salary. The latest salaries received by the officers of the Council come to $18,000.00 a year for the President of the Council, and $15,000.00 a year for both Vice-President and Secretary-Treasurer. These salaries have changed considerably the past few years, and probably will change as the years go by.

ARTICLE 4: MEETINGS AND PROCEDURE

Article Four consists mainly of six sections dealing with meetings and the procedures needed to conduct the meetings.

SECTION ONE: REGULAR MEETINGS

The Community Council shall assemble on the first Monday of every month.

SECTION TWO: SPECIAL MEETINGS

A special meeting may be called upon two days' notice by the President, or by any four members of the Council.

SECTION THREE: QUORUM

A majority of the members shall constitute a quorum to do business.

SECTION FOUR: RULES OF ORDER

The Council may determine the rules of its proceedings, and may punish its members for disorderly behavior.

SECTION FIVE: PLACE OF MEETINGS

The official meeting place of the Community Council shall be at the agency headquarters, unless otherwise agreed.

SECTION SIX: DISQUALIFICATION FOR INTEREST

No member of the Council shall cast a vote on any question in which he may have a personal pecuniary interest.

ARTICLE 5: LAND

Article Five consists mainly of procedures of governing tribal community and private lands. It contains 13 subsections, and each section deals with a different aspect of land business.

SECTION ONE: ALLOTTED LANDS

Allotted lands, including heirship lands, within the Fort Belknap Reservation shall continue to be held by their present owners heretofore. It is recognized that under existing law, such lands may be condemned for public purposes, such as roads, public buildings, or other public improvements, upon payment of adequate compensation,

by an agency of the State of Montana or of the federal government, or by the Tribe itself. It is further recognized that under existing law such lands may be inherited by the heirs of the present owner, whether or not they are members of the Fort Belknap Community. Likewise, it is recognized that under existing law the Secretary of the Interior may remove restrictions upon such land, upon application by the Indian owner. Whereupon the land will become subject to state taxes, and may then be mortgaged or sold to non-Indians. The right of the individual Indian to hold or to lose his land, as under existing law, shall not be abrogated by anything contained in this Constitution; but the owner of restricted land may, with the approval of the Secretary of the Interior, voluntarily convey his land to the Fort Belknap Community either in exchange for an assignment covering the same land or other land, as hereinafter provided.

SECTION TWO: COMMUNITY LANDS

The unallotted lands of the Fort Belknap Reservation, and all lands which may hereafter be acquired by the Fort Belknap Community, shall be assigned to members of the Fort Belknap Community, or leased, or otherwise used by the community as hereinafter provided.

SECTION THREE: LEASING OF COMMUNITY LANDS

Community lands may be leased by the Community Council, with the approval of the Secretary of the Interior, for such periods of time as are permitted by law. In the leasing of community lands, preference shall be given, first to Indian cattle associations, and secondly to individual Indians who are members of the Fort Belknap community. No lease of community lands to a non-member shall be made by the Community Council unless it shall appear that no Indian cattle association or individual member of the community is able and willing to use the land and to pay a reasonable fee for such use.

Grazing permits covering community land may be issued by the Community Council, with the approval of the Secretary of the Interior, in the same manner and upon the same terms as leases. Free grazing privileges covering not to exceed 30 head of cattle or an equivalent amount of other livestock may be assigned on community grazing land by the Community Council, to members of the community who do not have any grazing lands.

SECTION FOUR: GRANT OF STANDARD ASSIGNMENTS

In any assignment of community lands which are now owned by the community or which may be hereafter acquired for the community by the United States, or purchased by the community out of community funds, preference shall be given to members of the community who have no allotted lands or previous assignments of community lands. Members of the community, who have at the time of allotment on the Fort Belknap Reservation accepted a cash settlement in lieu of allotted lands, are considered as having allotted lands; and no preference will be shown such members by reason of their being landless. No allotted member of the community who may hereafter have the restrictions upon his land removed and whose land may hereafter be alienated shall be entitled to receive an assignment of land as a landless Indian. The Community Council may, if it sees fit, charge a fee of not to exceed $25 on approval of an assignment made under this section. Assignments made under this section shall be for the primary purpose of establishing homes for landless members of the community, and shall be known as "standard" assignments.

SECTION FIVE: TENURE OF STANDARD ASSIGNMENTS

If any member of the community holding a standard assignment of land shall, for a period of two years, fail to use land so assigned, or shall after due warning from the proper community officials, persist in using such land for any unlawful purpose, his assignment may be cancelled by the Community Council after due notice and an opportunity to be heard, and the said land may be reassigned in accordance with the provisions of Section Four of this Article. Upon the death of any Indian holding a "standard" assignment, his heirs or other individuals designated by him, by will or written request, shall have a preference in the reassignment of the land, provided such persons are members of the Fort Belknap Community who would be eligible to receive a standard assignment.

SECTION SIX: GRANT OF "EXCHANGE" ASSIGNMENTS

Any member of the community who owns an allottment or any share of heirship land may, with the approval of the Secretary, voluntarily transfer his interest in such land to the community in exchange for an assignment to the same land or other land of equal value. If the assignee prefers, he may receive, in lieu of a specific tract of land, a proportionate share in a larger grazing unit. Assignments made under this section shall be known as "exchange" assignments.

SECTION SEVEN: LEASING OF EXCHANGE ASSIGNMENTS

Exchange assignments may be used by the assignee or leased by him to Indian cooperative associations to individual members of the tribe, or if no individual Indian or Indian cooperative association is able and willing to rent the land at a reasonable fee, such assignments may be leased to non-Indians, in the same manner as allotted lands.

SECTION EIGHT: INHERITANCE OF EXCHANGE ASSIGNMENTS

Upon the death of the holder of any exchange assignment, such land shall be reassigned by the Community Council to his heirs or devisees, subject to the following conditions:

(a) Such lands may not be reassigned to any heir or devisee who is not a member of the Fort Belknap Community, except that a life assignment may be made to the surviving widower or widow of the holder of an assignment.

(b) Such lands may not be reassigned to any heir or devisee who already holds more than 1,000 acres of grazing land, or other land or interest in land of equal value, either under allotment or under exchange assignment.

(c) Such lands may not be subdivided among heirs or devisees into units too small for convenient management. No area of grazing land shall be subdivided into units smaller than 40 acres, and no area of agriculture land shall be subdivided into units smaller than two and one-half acres, except that land used for building or other improvements may be divided to suit the convenience of the parties. Where it is impossible to divide the land properly among the eligible heirs or devisees, the Community Council shall issue to such heirs or devisees grazing permits or other interests in tribal lands of the same value as the assignments of the decedent.

(d) If there are no eligible heirs or devisees of the decedent, the land shall be eligible for reassignment in accordance with the provisions of Section Four of this Article.

SECTION NINE: INHERITANCE OF IMPROVEMENTS

Improvements of any character made upon assigned land may be bequeathed to be inherited by members of the Fort Belknap community or otherwise disposed of under such regulations as the Community Council shall provide. No permanent improvements shall be made from the land without the consent of the Community Council.

SECTION TEN: EXCHANGE OF ASSIGNMENTS

Both standard and exchange assignments may be exchanged between members of the Fort Belknap community by common consent in such manner as the Community Council shall designate.

SECTION ELEVEN: USE OF UNASSIGNED COMMUNITY LAND

Community land which is not assigned, including community timber reserves, shall be managed by the Community Council for the benefit of the members of the entire community, and any cash income derived from such land shall accrue to the benefit of the community as a whole.

SECTION TWELVE: PURCHASE OF LAND BY COMMUNITY

Available tribal funds may be used to acquire land under the following conditions:

(a) The Fort Belknap Indian Community Council may, in accordance with law, purchase land within the Fort Belknap Reservation or adjacent thereto; and may exchange tribal lands for other lands within the reservation, subject to the approval of the Secretary of the Interior or his duly authorized representative.

(b) The community may purchase any land from its members who desire to sell to the tribe.

SECTION THIRTEEN: METHOD OF MAKING ASSIGNMENTS

Applications for assignment shall be filed with the Secretary of the Council and shall be in writing, setting forth the name of the person or persons applying for the land and as accurate a description of the land desired as the circumstances will permit. Notices of all applications received by the Secretary shall be posted by him in the agency office and in at least three conspicuous places in which the land is located for not less than twenty (20) days before action is taken by the council. Any member of the community wishing to oppose the granting of an assignment shall do so in writing, setting forth his objections, to be filed with the Secretary of the council, and may, if he so desires, appear before the council, to present evidence. The Secretary of the Council shall furnish the superintendent or other officers in charge of the agency a complete record of all action taken by the council on applications for assignment of land, and a complete record of assignments shall be kept in the agency office and shall be open for inspection by members of the community. The council shall draw up one or more forms for standard and exchange assignments, which forms shall be subject to the approval of the Secretary of the Interior.

ARTICLE 6: ADOPTION

Article Six explains how the Bylaws and Constitution were adopted, and on which date they were finally approved. It states:

This Constitution and Bylaws, when ratified by a majority vote of the qualified voters of the Fort Belknap Indian Community voting at a special election called for the purpose by the Secretary of the Interior, provided that at least 30 percent of those entitled to vote shall vote in such election, shall be submitted to the Secretary of the Interior, and, if approved, shall be effective from the date of approval.

The Constitution and Bylaws were adopted October 19, 1935.

CORPORATE CHARTER OF THE FORT BELKNAP INDIAN COMMUNITY

The Corporate Charter of the Fort Belknap Indian Community was adopted on August 25, 1937. It was designed so as to further the economic development of the two tribes of the Fort Belknap Reservation. It was designed to give the community certain corporate rights, powers, privileges, and immunities. It also secured for the members of both tribes an assured economic independence, and gave them powers to perform certain functions that the Department of the Interior had previously performed. This Corporate Charter consists of eleven articles that provide a clearer picture of the Charter. Article One explains the corporate existence. It states:

ARTICLE 1: CORPORATE EXISTENCE

In order to further the economic development of the Gros Ventre and Assiniboine tribes of the Fort Belknap Indian Community of the Fort Belknap Indian Reservation in Montana by conferring upon the said community certain corporate rights, powers, privileges, and immunities; to secure for the members of both tribes an assured economic independence; and to provide for the proper exercise by the community of various functions heretofore performed by the Department of the Interior, the aforesaid community is hereby chartered as a body politic and corporate of the United States of America, under the corporate name "The Fort Belknap Indian Community."

ARTICLE 2: PERPETUAL SUCCESSION

Article Two states mainly that the Fort Belknap Indian Community shall as a federal corporation have perpetual succession. It states:

The Fort Belknap Indian Community shall, as a federal corporation, have perpetual succession.

ARTICLE 3: MEMBERSHIP

Article Three states mainly that the Fort Belknap Indian Community shall be a membership corporation, and that its members shall consist mainly of persons now or descendants of persons that were stated in the Constitution and Bylaws of 1935. Article Three states:

The Fort Belknap Indian Community shall be a membership corporation. Its members shall consist of all persons now or hereafter members of the community, as provided by its duly ratified and approved Constitution and Bylaws, as amended.

ARTICLE 4: MANAGEMENT

Article Four consists mainly of information regarding who manages the Community Council. It states:

(a) The Fort Belknap Indian Community Council consisting of six (6) Gros Ventre and six (6) Assiniboines, elected by all eligible voters of the community, shall exercise all the corporate powers enumerated.
(b) The Fort Belknap Indian Community Council consisting of an equal number of members of the Gros Ventre tribe and an equal number of members of the Assiniboine tribe, elected by all eligible votes of the community, shall exercise all the corporate powers hereinafter enumerated.

ARTICLE 5: CORPORATE POWERS

The community, subject to any restrictions contained in the Constitution and laws of the United States, or in the Constitution and Bylaws of the said community or in this Charter, shall have the following corporate powers:

SECTION A

To adopt, use, and alter at its pleasure a corporate seal.

SECTION B

To purchase, take by gift, bequest, or otherwise own, hold, manage, operate, and dispose of property of every description, real and personal, subject to the following limitations:

(1) No sale, or mortgages or exchanges of title, except as provided for in Section 3 of Article Four: Land, now or hereafter held by the community, except that land may be purchased and mortgaged to a government agency, provided that the land so mortgaged was purchased with funds provided by the agency of the United States government.

(2) No leases, permits (which terms shall not include land assignments to members of the community) or timber sale contracts covering any land or interest in land now or hereafter held by the community shall be made by the community for a longer term than ten (10) years, and all such leases, permits, or contracts must be approved by the Secretary of the Interior or his duly authorized representatives; but oil and gas leases, mineral leases, or any leases requiring substantial improvements of the land may be made for longer periods when authorized by law.

(3) No action shall be taken by or in behalf of the community which conflicts with regulations authorized by Section 6 of the Act of June 18, 1934, or in any way operates to destroy or injure the community grazing lands, timber, or other natural resources of the Fort Belknap Indian Reservation.

SECTION C

To borrow money from the Indian Credit Fund in accordance with the terms of Section 10 of the Act of June 18, 1934 (48 Stat. 984), or from any other governmental agency, and to use such funds directly for productive tribal enterprises or to loan money thus borrowed to individual members of the community or associations of members of the community, provided: that the amount of indebtedness to which the community may subject itself, aside from loans from the Indian Credit Fund, shall not exceed ten thousand dollars ($10,000.00), except with the express approval of the Secretary of the Interior or his duly authorized representative.

SECTION D

To engage in any business that will further the economic well being of the members of the community or to undertake any activity of any nature whatever, not inconsistent with law or with any provisions of this Charter.

SECTION E

To make and perform contracts and agreements of every description, not inconsistent with law or any provisions of this Charter, with any person, association, or corporation, with any municipality, or any county, or with the State of Montana for the rendition of public services, provided: That any contracts, other than contracts with the United States, involving payment by the Corporation totaling in excess of ten thousand dollars ($10,000) during any one (1) fiscal year shall be subject to the approval of the Secretary of the Interior or his duly authorized representative.

SECTION F

To pledge or assign chattels or future income due or to become due to the community under any notes, leases, or other contracts, or from any other source, whether or not such notes, leases, or contracts are in existence at the time, provided: That such agreements or assignments, other than agreements with the United States, shall not exceed more than ten (10) years from the date of execution and shall not cover more than one-half the income source, and provided further: That any such agreement shall be subject to the approval of the Secretary of the Interior or his duly authorized representative.

SECTION G

To deposit corporate funds, from whatever source derived, in any national or state bank to the extent that such funds are insured by the Federal Deposit Insurance Corporation, or by a surety bond, or other security, approved by the Secretary of the Interior, or to deposit such funds in the Postal Savings Bank or with a bonded disbursing officer of the United States to the credit of the community.

SECTION H

To sue and be sued in courts of competent jurisdiction within the United States only in those instances involving specific commercial transactions in which the community has given its consent to be sued; but the grant or exercise of such power to sue and to be sued shall not be deemed a consent by members of the community or by the community or by the United States to levy of any judgement, lien, or attachment upon the property of the community or its members other than income or chattels specially pledged or assigned.

SECTION I

To exercise such further incidental powers not inconsistent with law, as may be necessary to the conduct or corporate business.

SECTION J

To issue interest in corporate property in exchange for restricted Indian lands.

ARTICLE 6: TERMINATION OF SUPERVISORY POWERS

Article Six is a request by the Fort Belknap Indian Community Council for the purpose of terminating supervisory powers reserved to the Secretary of the Interior under Article 5-B-2, Va, Vc, Ve, Vf, and Article Eight of this Charter. It states:

Upon the request of the Fort Belknap Indian Commmunity Council of the Fort Belknap Indian Community for the termination of any supervisory powers reserved to the Secretary of the Interior under Articles V (B), (2), V (C), V (E), V (F), V (G), and Article VIII of this Charter, the Secretary of the Interior, if he deems it wise and expedient to

do so, shall thereupon submit the question of such termination or grant for ratification by the community. If the Secretary of the Interior shall approve such termination, it shall be effective upon ratification by a majority vote of the adult members of the community residing on the reservation, at an election in which at least thirty (30) percent of the eligible voters vote. If the Secretary shall disapprove such termination, or fail to approve or disapprove it within ninety (90) days after its receipt, it may then be submitted by the Secretary or by the Community Council to popular referendum of the adult members of the community actually living within the reservation, and if approved by two-thirds (2/3) of the eligible voters shall be effective.

ARTICLE 7: TRIBAL RIGHTS AND CLAIMS

Article Seven states all tribal rights and claims that the Fort Belknap Indian Community has. It states:

SECTION A

Property rights and present and future claims of the Gros Ventre and Assiniboine tribes of Indians who have entered into a partnership to form the Fort Belknap Indian Community for the management of their joint affairs, shall not be in any way impaired by anything contained in the Charter, or in the Constitution and Bylaws of the Fort Belknap Indian Community.

SECTION B

Nothing in this Charter or in the Constitution and Bylaws of the Fort Belknap Indian Community shall constitute a release or waiver or shall in any way impair any present or future claims of the Gros Ventre Tribe of Indians of the Fort Belknap Indian Reservation, or of the Assiniboine Tribe of Indians of the Fort Belknap Indian Reservation against the United States, against each other, or against any other tribe or tribes of Indians.

SECTION C

The unallotted tribal lands of the Fort Belknap Indian Reservation are hereby vested in the Fort Belknap Indian Community, subject, however, to the resetrictions contained in Article VII, Section B of this Charter.

SECTION D

The Gros Ventre members of the Community Council and the Assiniboine members of the Community Council shall each have sole and exclusive jurisdiction over all matters concerning the exclusive property rights and present and future claims of each of their said tribes, and shall transact the exclusive business policy and administrative affairs of their respective tribes, and shall exercise their said several powers to the same extent and for the same purpose as exercised by each of said Tribal Councils prior to the ratification of the Fort Belknap Community Constitution and Bylaws and the granting of this Charter.

SECTION E

That the administration of monies borrowed by the Fort Belknap Indian Community and reloaned to members of the community or associations of such members shall be under the jurisdictoin of a five (5) member committee composed of two (2) members of the Community Council – one (1) Gros Ventre and one (1) Assiniboine, one (1) of whom shall serve as chairman; two (2) duly enrolled members of the community from outside of the Community Council consisting of one (1) Gros Ventre and one (1) Assiniboine; and one (1) individual who has banking or lending expertise appointed by the Credit Committee who shall serve to coincide with the term of the Community Council members,which committee shall have the power to establish policies of the Credit Program.

(1) The two members of the committee from outside the Community Council as enumerated in Article VII, Section E shall be elected in accordance with Article VIII: Elections in the Constitution.

ARTICLE 8: CORPORATE DIVIDENDS

The community may issue to each of its members a non-transferable certificate of membership evidencing the equal share of each member in the assets of the Fort Belknap Indian Community, and may distribute per capita among the duly enrolled members of the Fort Belknap Community, all income of the Fort Belknap Indian Community over and above sums necessary to defray corporate obligations to members of the Fort Belknap Indian Community or to other persons and over and above all sums which may be devoted to the establishment of a reserved fund, the construction of public works, the cost of public enterprises, the expenses of the community government, the needs of charity, or other corporate purposes. No such distribution of profits in any one (1) year amounting to a distribution of more than one-half (1/2) of the accrued surplus, shall be made without the approval of the Secretary of the Interior.

ARTICLE 9: CORPORATE ACCOUNTS

Article Nine states that the members of the Fort Belknap Indian Council shall maintain accurate and complete public acounts of the financial affairs of the Indian Community to the Commission of Indian Affairs. It also explains restrictions on the disbursement of tribal Indian money. It states:

The officers of the Fort Belknap Indian Community shall maintain accurate and complete public accounts of the financial affairs of the Fort Belknap Indian Community to the Comissioner of Indian Affairs. The Secretary-Treasurer of the Fort Belknap Indian Community shall pay out money only in accordance with orders and resolutions of the Fort Belknap Indian Community Council, and no disbursements shall be made without the signature of the Secretary-Treasurer. The books of the Fort Belknap Indian Community Council shall be audited annually and published publicly by direction of the Secretary of the Interior or his duly authorized representative, or at the direction of the Commissioner of Indian Affairs, or upon petition by a member of the Fort Belknap Community to the tribal court, and shall be open to inspection by members of the Fort Belknap Indian Community or duly authorized representative of the Secretary of the Interior during any and all reasonable times. A quarterly balance sheet shall be published publicly showing all receipts and expenditures for that quarter.

ARTICLE 10: AMENDMENTS

This Article explains stipulations on how the Corporate Charter can be revoked and how the members of the tribal community can ratify it.

This Charter shall not be revoked or surrendered except by act of Congress, but amendments may be proposed by resolutions of the Fort Belknap Indian Community Council, which if approved by the Secretary of the Interior, to be effective shall be ratified by a majority vote of the adult members living on the reservation at popular referendum in which at least thirty (30) percent of the eligible voters residing within the exterior boundaries of the Fort Belknap Indian Reservation vote.

ARTICLE 11: RATIFICATION

Article Eleven states the ratification date and procedures involved in ratifying the Fort Belknap Corporate Charter.

This Charter shall be effective from and after the date of its ratification by a majority vote of the adult members of the Fort Belknap Indian Community living on the Fort Belknap Indian Reservation, provided at least thirty (30) percent of the eligible voters shall vote; such ratification to be formally certified by the Superintendent of the Fort Belknap Agency and the President and the Secretary-Treasurer of the Fort Belknap Community Council.

FIRST INDIAN COURT ESTABLISHED IN 1902

On July 1, 1902, the first Indian Court was started on the reservation. Three judges were appointed, two being Assiniboine and one Gros Ventre. Rustler, an Assiniboine, was appointed to look after the affairs of the Assiniboine on the Milk River near the Agency; Skunk, a Gros Ventre, was to be in charge of the court among the Gros Ventre of Hays; while Many Coups was appointed to be the judge of the Assiniboine community of Lodge Pole. The salary received was ten dollars per month. The agent occasionally sat in as judge, and his ruling took precedence over any of the Indian judges.

The court had been created at the insistence of the reservation Indians, who had seen this type of court in operation at other reservations. Almost from its inception, the court was considered a success by the agent, since the Indians accepted the court's decisions without reaction, unlike the former decisions of the agent. There were few rulings for the Indian judges to follow, complete freedom being given them to use their own judgement.

Later, law enforcement was composed of two policemen and one judge, all three appointed by the superintendent. The court at this time met every other week, and the decisions were given by the judge after evidence had been given by the arresting officer and the defense. The pay of the average judge was about $25.00, and the pay of the policemen ranged from $45.00 to $65.00 per month.

The qualifications and the duties of a judge were best stated in a letter from the assistant commissioner, concerning the opening of the reservation court to outside attorneys:

> Generally speaking, the ordinary Indian Reservation Courts are presided over by full bloods who are appointed in their positions by reasons of their experience in tribal matters, and the respect in which they are held by the fellow members of their tribe. These Indian judges have no knowledge of statutory law, but base their decisions upon the Indian sense of justice as to what should or should not be done under the circumstances of the particular case. It is apparent that to permit attorneys to appear before these primitive tribunals would tend to confuse the Indian judges, and in no way assist them in the duties of their office. Of course, in the state and federal court, Indians should be and are represented by attorneys in the administration of Indian offenses, which is based on the Indian's idea of justice rather than on our [white men's] statutory law.[1]

The Sun Dance and all other similar dances and so-called religious ceremonies were considered "Indian offenses," and any Indian found guilty of being a participant in any one or more of these "offenses" would, for the first offense committed, be punished by withholding his rations for a period of not less than fifteen days, or by incarceration in the agency prison for a period not to exceed thirty days.

The practice of being a medicine man would have been called an Indian offense in the old days when the reservation was first being settled.[2] It is stated:

> Whenever it is to be proven to the satisfaction of the court that the influence or practice of a so-called 'Medicine Man' resorts to any artifice or device to keep the Indian under his influence, or adopt any means to prevent attendance of children at the agency schools, or shall use any of the arts of the conjurer to prevent the Indians from abandoning their rites and customs, he will be charged with an Indian offense, and upon conviction of any one or more of these specified practices, or any other in the opinion of the court of an equally anti-progressive nature, shall be confined in the agency guard house for a term not less than ten days, or until such time as they produce satisfactory evidence to the court and approved by the agent, that he will forever abandon all practices styled 'Indian offenses' under their rule.[3]

In justice to the agency officials, no case is on record of any arrest on the Fort Belknap Reservation for violatoins of the above-mentioned "Indian offenses."

CRIME DEFINED BY THE ASSINIBOINE WRITTEN BY A WHITE MAN

> Crime of any and all kinds among them is considered an offense to the individual, and as such liable to punishment by the person offended. But no idea of a moral offense toward the Great Spirit is exhibited, or consequent future punishment feared. All our endeavors to extract from them even an acknowledgement of the greatest crimes being morally wrong have been unavailing. They cannot see that any act of theirs should meet with punishment after death because they think they have just cause for these acts, and also they do not believe in future punishments at all.

To illustrate the first position, we will present their arguments on the greatest of crimes, murder. An Indian never commits what in his mind would be equal to murder in estimation. There is no inducement in any case for them to murder a man for his horses, wife, or any other property he possesses, for this step, instead of securing these advantages, would operate in quite an opposite direction, making it necessary for the murderer to relinquish his own property and that of his nearest relatives to pay the damage, also forfeiting his own life and becoming an outcast. And this is the reason why their disputes so seldom terminate in bloodshed, as the prospect of loss is far greater than that of gain. When they do kill among themselves, it is in consequence of some quarrel about property, or about something, and this they are then in a manner obliged to do, to save their own lives. It then becomes self-defense, or a necessary action induced by the principle of fear, and their constant habit of carrying and raising arms. In no instance does an Indian take life, except that of his enemies, without provocation.[4]

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1. *The Fort Belknap Assiniboine*, by Dave Rodnich, 1973, p. 13.
2. Ibid.
3. *The Fort Belknap Assiniboine*, by Dave Rodnich, 1937.
4. Ibid.

FORT BELKNAP TRIBAL CODE AND THE LAW AND ORDER

In this tribal code, the tribes of the Fort Belknap Indian Reservation set down their rules and regulations on how their reservation should run. This code states the criminal offenses and the punishment for them, criminal proceedings, civil proceedings, appeals, domestic relations, motor vehicles, housing, and the children's code. They try to make regulations to help the members of the Fort Belknap tribes live with law and order.

The purpose of Law and Order is to provide competent police personnel to carry out the law enforcement program on the Fort Belknap Reservation. Their duties are to reduce crime, upgrade enforcement capabilities, and provide a safe atmosphere for the residents of the Fort Belknap Reservation to conduct their private and business affairs.

ESTABLISHMENT OF COURT AND JUDICIAL POWER

The Fort Belknap Indian Community Tribal Court and the Tribal Council will, by ordinance, define and establish a tribal code for the maintenance of law and order, and for the administration of justice on the Fort Belknap Indian Reservation.

The judicial power of the people of the Assiniboine and Gros Ventre tribes of the Fort Belknap Indian Reservation shall be vested in the Fort Belknap Tribal Court and the Fort Belknap Community Court of Appeals. The judicial power shall be extended to all cases, and controversies in law and equity arising under the laws of the Fort Belknap Indian Reservation.

JURISDICTION

The court shall have jurisdiction over Tribal Council ordinances and amendments to their tribal code which are announced under the authority of Article 5, Section 1, Paragraph (i) of the Constitution and Bylaws of the Fort Belknap Indian Reservation.

The Tribal Court shall have the power to enforce those amendments and ordinances enacted according to that authority or any other authority contained in the approved Constitution and Bylaws. The Tribal Court shall have original jurisdiction over all civil and criminal actions arising under this tribal code or at Indian common law, in which the defendant is found within the reservation and is validly served with process under the long arm service provisions of this tribal code. The jurisdiction of the court shall be exclusively and concurrent with respect to an offense over which a federal court may have lawful jurisdiction.

TRIBAL COURT PROCEEDINGS

INITIATION OR PROCEEDINGS

In Tribal Court, all criminal prosecutions must be commenced (or stated) by a complaint under oath. The complaint shall:

(1) Be in writing under the name of the tribe.

(2) Specify the name of the court in which the complaint is filed, and

A. State the name of the offense;

B. Citing, in customary form, the tribal rule, regulation, or other provision of law which the defendant is alleged to have violated;

(2) C. Stating the facts constituting the offense in ordinary and concise language, and in such a manner as to enable a person of common understanding to know what is intended or said;

D. Stating the time and place of the offense as definitely as can be done;

E. Stating the name of the accused if known, designating the accused by name or description by which he can be identified with reasonable certainty.

TRIBAL COURT PROCEDURE

At the opening of the trial, after the tribal judge has directed that "The court will come to order," the clerk will read the name of the case to be heard and ask the defendant to step forward. The trial may proceed in the absence of the defendant, but if his presence is necessary for any purpose, the court may require the personal attendance of the defendant at the trial. The clerk will then read the charge. The court will then ask the defendant how he pleads to the charge. If the defendant pleads guilty, the court will inform the defendant of the consequence of the plea he has made, and of the maximum penalty provided by law which may be imposed upon acceptance of such plea. If the defendant still pleads guilty, the court will permit him to introduce evidence in amelioration (improvement) or mitigation (enforcement) of the offense.

If the defendant pleads not guilty, the court will ask him if he desires a jury trial. The prosecution may also ask for a jury trial. After a jury is waived or selected, the court will ask the defendant if he has a special plea bearing on the jurisdiction of the court. If the defendant has such a special plea, the court will rule in the plea. If the court sustains the special plea, the defendant will be discharged. If the court does not sustain the plea, the court will go on.

Questions of law shall be decided by the court, and questions of fact by the jury. The court will decide the questions of fact. The prosecution will first introduce evidence of the offense. The defendant may object to any evidence, and may cross-examine the prosecution's witness. The defense will then produce evidence in defense. Prosecution may object to any evidence, and may cross-examine the defendant's witness.

When all evidence is in for both the prosecution and the defense, the prosecution and defendant, or lay counsel, may ask the jury to urge the reasons for conviction or acquittal. If no jury is present, their argument may be talked over with the judge.

At any time during the trial, the defendant may change his plea to one of guilty, in which case the jury will be discharged, and the case will proceed as though the plea of guilty had been made at the beginning of the trial.

COURT OF APPEALS

The Court of Appeals is the highest court of the Fort Belknap Indian Community. The Court of Appeals consists of three judges, two from the court, excluding the judge who heard the case, and one judge selected from within the adult membership of the Assiniboine or Gros Ventre Tribes of the Fort Belknap Indian Reservation by the Tribal Council. The presiding judge of the panel shall be the associate judge selected from within their membership. In the event there are insufficient judges available to fill the panel, the presiding judge shall appoint such other qualified persons as may be required to sit in judgement of the case. There must be three judges sitting together as a body to hear any case appealed to the Court of Appeals, including a Writ of Habeas Corpus.

The Court of Appeals shall have jurisdiction to hear and determine all appeals of final judgement of the Fort Belknap Tribal Court, and all such appeals shall be tried as a new trial, except those issues of facts already determined by the jury. The Court of Appeals also has the power to issue any order or writ necessary and proper to complete exercise of their jurisdiction.

JUDGES

The Fort Belknap Tribal Court shall consist of one chief judge and two associate judges, all of whom shall be appointed by the Fort Belknap Community Council. A tribal member shall be eligible for appointment and serve as a judge of the Fort Belknap Tribal Court if he or she:

(A) Is an enrolled member of either the Assiniboine or Gros Ventre tribe, and is a resident of the Fort Belknap Indian Reservation.
(B) Has never been convicted of a felony.
(C) Has not been convicted of a misdemeanor within a one-year period immediately before his apointment.
(D) Is at least thirty years of age.
(E) Has completed four years of high school, or its equivalent.
(F) Has not received a dishonorable discharge from the Armed Forces of the United States.
(G) Has successfully completed an examination covering the Constitution and Bylaws, Corporate Charter, Law of the Fort Belknap Indian Reservation, the judicial system, and law enforcement to be administered by the Tribal Council.

Each judge shall hold office for four years until he is granted tenure, resigns, retires, or is removed pursuant to Sec. IV. The chief judge and associate judges shall hear and determine all matters which are duly and regularly filed in the Fort Belknap Court. In addition to the duties and powers under the Tribal Code, judges of the Fort Belknap Court shall have the power to issue subpoenas and may punish for failure to comply with the subpoenas. No judge shall be qualified to act as such in a case in which he has any direct interest, or which involves relatives by marriage or blood in the first or second degree. The chief judge (when not disqualified), tribal council, or executive committee shall appoint judges who shall be members of the Fort Belknap Tribes or residents of the Reservation. Any judge must meet the standards and qualifications for judges set forth in the Fort Belknap Tribal Code and be knowledgeable of the customs and laws of the tribes of the Fort Belknap Indian Community.

Any judge after serving one term may be granted a tenure byatwo-thirds vote of the Tribal Council, providing that the judge has exercised his duties on the bench in a fair and impartial manner and in the best interest of the Assiniboine and Gros Ventre Tribes. Tenure shall be indefinite, or until such time as a judge is removed pursuant to the unanimous vote of removal by the Tribal Council.

Any judge, except tenured judges, may be removed from office after due notice and a hearing by two-thirds vote of the Tribal Council if there is reasonable cause to believe the judge to be guilty of malfeasance, misconduct, or misfeasance in office or neglect of duty, mental or physical incapacity to perform the duties of his or her office, or if the judge has been convicted of a felony in a state or federal court since entering office.

JURY

The jury consists of six members of either tribe who are residents of the Fort Belknap Indian Reservation. They are selected from the list of eligible jurors by the chief judge.

To be eligible for jury duty, you must:

A. Be an adult member of either the Assiniboine or Gros Ventre Tribe
B. Be twenty-one years of age.
C. Not have been convicted of a felony.
D. Not have been dishonorably discharged from the armed services of the United States.
E. Not be a judge, officer, or employee of the court or an elected community official.
F. Reside on the Fort Belknap Indian Reservation.

The judges instruct the jury in the law covering the case, and the jury brings the verdict for or against the defendant. The judge shall render judgement in accordance with the verdict and with existing law.

RIGHT TO JURY

Criminal cases shall be tried by the court, unless the defendant demands a jury trial. Any defendant charged with a criminal offense, which under this Tribal Code is punishable by confinement or fine of more than fifty dollars or both, is entitled to a jury trial on demand. The demand may be made orally at the arraignment, or by written application to the court within three days thereafter.

NEW TRIAL

A new trial is a re-examination of the issue in the same court, before another jury, after a verdict or finding has been rendered or given. The granting of a new trial places the parties in the same position as if there had never been any trial.

Following a verdict of guilty, the court may grant the defendant a new trial if required in the interest of justice. The motion for a new trial will be in writing, and will be filed by the defendant within thirty days following a verdict of guilty. Reasonable notice of the motion will be served upon the tribe.

On hearing the motion for a new trial, if justified by law and the weight of the evidence, the court may:

(A) Deny the motion;
(B) Grant a new trial;
(C) Change the verdict or finding by finding the defendant guilty of a lesser crime, or finding the defendant not guilty.

HABEAS CORPUS

A writ of habeas corpus may be filed by any person who is detained in the Fort Belknap tribal jail, before any hearing, on the merits of the charge against him or her. The writ may be made by the prisoner, or if requested by the prisoner, the clerk of the court will make such a writ for the prisoner. The writ will state the reasons why the prisoner feels that he or she is being wrongfully detained, and will immediately be served upon the chief justice of the Court of Appeals. Upon receipt of the writ, the chief justice must call a hearing on the writ within one day after he receives the writ (unless on a weekend, in which case the hearing will be called the next day after the weekend or holiday).

Three justices must sit at the hearing, and the prisoner and his counsel may be present to give their oral argument on the merits of the writ. The Court of Apeals may also summon in the trial jailor, and request a record of the charge to be presented to the court.

If the judges find that the prisoner was unlawfully detained and jailed, they may proceed affirmatively upon the writ of habeas corpus, and order the release of the prisoner. Release under a writ of habeas corpus in no way affects any charge against the defendant under the legal methods and procedures of the Tribal Code. This section in no way interferes with the prisoner's rights to seek a writ of habeas corpus through the United States District Court.

CHILDREN'S COURT

The young people of the Assiniboine and Gros Ventre tribes are the tribes' most important resource, and their welfare is of paramount importance to the Fort Belknap tribes. It is important that the young people of the Fort Belknap tribes receive, preferably in their own homes, the care and guidance needed to prepare them to take their places as adult members of the Fort Belknap Community.

This Court shall protect the child's interest by choosing a course of action which least restricts the child's freedom, and is consistent with the safety and interests of the Fort Belknap tribes. The tribes need a recognized children's court system to insure and safeguard the rights of children pursuant to applicable tribal and federal law; to improve any conditions or home environment which may be contributing to a youth's delinquency; and at the same time to protect the peace and security of the community and to preserve and strengthen the youth's cultural and tribal identity, and to preserve and strengthen family ties.

JURISDICTION

The Children's Court has exclusive original jurisdiction. It has original jurisdiction over any Indian youth residing upon or found upon the reservation, or who has been transferred to the Court under the Child Welfare Act, and over all persons having care, custody, or control of youths in the following situations:

(1) Concerning any youth who has violated any tribal, federal, state, local, or municipal ordinance, regardless of where the violation occurred.
(2) Concerning any youth who is a neglected or a dependent youth.

(3) Concerning any youth who:
   A. Being subject to compulsory school attendance, is habitually truant from school, or is defiant of persisting efforts by parents or school authority.
   B. Habitually disobeys the reasonable and lawful demands of his parents or guardian, or who is beyond their control to an extent as to clearly endanger his own welfare and the welfare of others.
(4) Proceeding to terminate the legal parent-child relationship, including the termination of parental rights and duties.
(5) For the judicial consent to marriage, employment, or enlistment in the armed forces, and to emergency medical or surgical treatment of the youth who is under the custody of the Court.
(6) The Children's Court shall also have original jurisdiction over the following:
   A. Proceedings for adoption of the youth.
   B. Proceedings for the commitment of a mentally retarded or mentally ill youth.
   C. Proceedings to determine custody of, or to appoint a legal parent or guardian.

CARE AND TREATMENT IN SHELTER CARE AND DETENTION FACILITIES

FACILITIES

The Children's Court judges or chief will prescribe and enforce policies and procedures governing the administration of detention and shelter care facilities. Such policies and procedures should include:

(1) A youth shall not be punished, ridiculed, or criticized for expressing himself or herself through speech, customs, or dress. The youth's Indian or tribal heritage will not be criticized.
(2) A youth can wear his or her hair according to personal taste.
(3) A youth can wear his or her own clothes, rather than the ones supplied by the facilities, within the standards of cleanliness.
(4) Incoming and outgoing mail may be inspected for contraband, but shall not be read.
(5) Whenever possible, the youth shall be allowed to attend the school in which he is enrolled. School work and educational assistance, when needed, shall be provided by the facilities of the detention home.
(6) A youth will be allowed to attend traditional religious ceremonies, provided he or she be accompanied by a parent or guardian. The youth will need consent from the Court, and will be returned to the detention facility as soon as possible.
(7) A youth shall be allowed to attend any related activities of his or her relations and family, whether they be natural or adopted. The parents or guardian shall request and receive permission from the judge of the Children's Court, and he or she will be returned immediately to the facility.
(8) A youth shall be able to engage in physical exercise every day, and shall not be locked in a room unless there exists a reasonable belief that he or she may cause bodily injury to himself or herself, or to other people, if not locked up. He or she shall be visited at least once an hour. The confinement will not continue unnecessarily.
(9) A youth shall not be punished by physical force, solitary confinement, or deprivation of meals and family visits.
(10) He or she shall not have to do work duties.

GUARDIAN AD LITEM

The Children's Court, under any proceedings, shall appoint for the purpose of that proceeding a guardian ad litem for a youth, where the court finds that the youth does not have a natural or adoptive parent, guardian, or custodian willing and able to exercise guardianship.

Guardian ad litem refers to an individual appointed by the courts to represent the best interests of the child in an advocacy role.

STANDARDS FOR SHELTER CARE AND DETENTION FACILITIES

The Children's Court judge or the chief judge of the Tribal Court shall prescribe and enforce regulations governing the operations of detention and shelter care facilities. The Children's Court judge or the chief judge may assign the responsibilities to another qualified tribal agency.

The rules and regulatoins shall include, but are not limited to, the following:

(1) Cleanliness standards.
(2) Heat, water, and light standards.
(3) Personnel standards.
(4) Visitation privileges.
(5) Occupancy standards.
(6) Provisions for medical and dental care.
(7) Provisions for food, clothing, toilet furnishing and articles.

TRANSFER TO ADULT TRIBAL COURT

The presenting officer or the youth may file a petition requesting the Children's Court to transfer the minor to the adult Tribal Court if the youth is fourteen years of age or older, and is alleged to have committed an act that would have been considered a crime if committed by an adult. The Children's Court shall conduct a hearing to determine whether jurisdiction of the youth should be transferred to the adult Tribal Court.

(1) The transfer hearing shall be held no more than ten days after the petition is filed.
(2) Written notice shall be given to the youth and his parents at least 12 hours prior to the hearing.
(3) Right to counsel:

> The Children's Court counselor shall inform the youth and his or her parents or guardian of their rights to treat in counsel by telling them, "According to the Indian Civil Rights Act, you have the right to have a lawyer or another person to represent you at your hearing, but you and your family will pay any fees for any representation."

The youth need not be a witness against, nor otherwise incriminate himself or herself. The youth and the youth's parents or guardian will be entitled to introduce evidence to be heard on their behalf, and to examine witnesses. Prior to the hearing, a study and a report in writing will be given to the Children's Court. These factors are considered when determining whether to transfer jurisdiction of the youth to the adult Tribal Court:

(1) The nature and the seriousness of the offense the youth is charged with.
(2) The nature and condition of the youth as evidenced by his age, mental and physical condition, past records of offenses and response to past records of offenses, and responses to past Children's Court efforts at rehabilitation.

The Children's Court may transfer jurisdiction of the youth to the adult court if the Children's Court finds clear evidence that both of the following exist:

(1) There are no reasonable ways for rehabilitating the youth through resources available to the Children's Court.
(2) The offense allegedly committed by the youth shows evidence that he or she is substantially dangerous to the public.

When a youth is transferred to the adult Tribal Court, the Children's Court will issue a written transfer order containing the reasons for its decision to transfer the case. The transfer order constitutes a final order for purposes of appeal.

DANGEROUS DRUGS

The Fort Belknap Health Board determines, under the Tribal Code, for each drug used on the reservation:

(1) Relative potential for abuse.
(2) Scientific evidence of its pharmacological effect if known.
(3) The state of current scientific knowledge concerning the drug.
(4) History and patterns of abuse.
(5) Risk to public health.
(6) Potential of the drug to produce psychic or physiological dependence liability.

When the Board determines that the drug is a potential hazard to the reservation, the Board will have the power to prevent the sale of that certain drug on the reservation.

Any person who sells, barters, or gives any alcoholic beverages, marijuana, drugs, or any harmful substance to any children under the age of eighteen will be guilty of an offense, and upon conviction will be sentenced to confinement of a period not more than six months, and to pay a fine of not more than $500.00.

Any person convicted of criminal possession of marijuana or its derivatives, in an amount which does not exceed sixty grams of marijuana or one gram of hashish, for the first offense will be guilty of a crime punishable by a fine not to exceed $150.00, or a jail sentence not to exceed 60 days, or both. A person convicted for a second offense within a one-year period shall be punished by a $300.00 fine or a jail sentence not to exceed 120 days, or both.

FIRST SCHOOLS ON FORT BELKNAP

Day School *

The first day-school on Fort Belknap was started at the agency in 1886.

Boarding School *

The agency boarding school was started in 1890, and by the next year over seventy-eight pupils had been enrolled.

Mission School *

St. Paul's Mission was established in 1887 by Father Frederick Eberschweiler, S.J. On September 14 of that same year, a boarding school was opened by three Ursuline sisters.

In 1936, the girls' boarding school burned down. The three sisters were recalled to other fields, so Bishop Edwin V. O'Hara made a personal trip to Milwaukee to secure the services of the School Sisters of St. Francis. With their arrival in September of 1936 came the end of the boarding school days. The boys' building was turned over to the Sisters for living quarters and a day-school.

The first eighth grade graduates received their diplomas in the spring of 1937. In the fall of 1938, the tenth grade was added onto the ninth, and Mission High School became a department separate from the rest of the school. The first high school graduates received their diplomas in 1941.

On December 5, 1973, the whole school and half of the sisters' convent burned down. The grade school students were forced to attend the Hays Public School, and the high school students finished the year in three mobile classrooms. Thus, Mission High School came to an end with the graduating class of 1974. However, the grade school was not so unfortunate. In the fall of 1975, the grade school was resumed in a new building.

PRESENT SCHOOLS ON FORT BELKNAP

There are presently three schools that exist on the Fort Belknap Reservation to serve elementary and high school students. These schools are:

1. Hays/Lodge Pole Public School (Hays)
2. Lodge Pole Elementary School (Lodge Pole)
3. St. Paul's Mission Elementary School (Hays)

OTHER SCHOOLS

The schools in Dodson and Harlem (towns surrounding Fort Belknap) usually have a high enrollment of Indian students from Fort Belknap.

Besides the Indian students attending these schools, there are many who choose to attend B.I.A. boarding schools, usually out-of-state.

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* Information received from Sister M. Clare, O.S.F., and *A Brief History of the Fort Belknap Indian Reservation, Montana*, compiled by Ralph M. Shane, 1974.

EDUCATIONAL PHILOSOPHY

OF THE

ASSINIBOINE AND GROS VENTRE TRIBES

We believe that education is the process to be utilized in preserving the cultural heritage of the Gros Ventre and Assiniboine Tribes.

We believe that our cultural beliefs must and can be used to make educational experience relevant to all tribal members, allowing the strengthening of our cultural heritage, yet building the individual's ability to compete and survive in the fast paced world of today.

We believe that exposure to the realities of the world with its diversity of cultural beliefs and ideas will aid in the success of tribal members achieving their goals in life.

We believe that a good educational experience will allow youth and adults to confidence, understanding and the ability to lead the Fort Belknap Tribes into the future.

We are committed to the involvement of tribal members of all ages in the learning experience and to allow the entire family to participate in the learning process as was the way of our ancestors.

We are committed to the employment of qualified staff that understand the eduational needs of our tribal members, and who will assist the Education Department in meeting these needs.

We recognize that the acquisition of knowledge and wisdom is a life long process, and we are committed to development and implementation of educational programs that will meet every individual tribal member's needs from child to elder.

We ask the Creator of all things and tribal members for assistance in making this philosophy a reality.

Fort Belknap
Reservation-Wide Education Committee
March, 1980

PAST

The assimilation of the English language into the Assiniboine tribe during the boarding shcool days in Fort Belknap and Mission School had a strong influence on the Assiniboine. Discipline was strict; whippings were often given for breaking rules, and mostly for speaking the native language. This was the order from the United States War Department, to have civilized Indians.

PRESENT

There is one school K-12 on the Fort Belknap Reservation. Federally funded, it teaches Indian culture, history, and language. Many Indian students attend the two schools at Dodson and Harlem, as well as Chemewa Boarding School, Flandreau Boarding School, and Inter-Mountain in Brigham City.

PERSONAL VIEW

The Assiniboine language is still used fluently. About 20% of the young people speak the language; 50% understand the language. 70% of the parents and grandparents speak the language fluently. 20% understand; 10% do not speak the language.

Many of the religious practices are still performed and believed in. It is still taught and handed down in the families. Various songs and traditions are carried on, as well as dancing.

Minerva Allen
Assiniboine
Lodge Pole, Montana

FORT BELKNAP EDUCATION DEPARTMENT

The Fort Belknap Education Department was created by the Fort Belknap Community Council in June of 1977 to serve all tribal members wherever and whenever they request educational services. A committee known as the Reservation-Wide Education Committee was also established, and its primary responsibility is to provide direction to the Fort Belknap Education Department, and leadership in education for the Fort Belknap Reservation.

Under the tribal government structure, the Reservation-Wide Education Committee falls directly under the Fort Belknap Community Council. It is made up of Indian parents, educators, and tribal council members. The Education Department's administrative staff is made up of the following (present employees):

Dr. Robert Swan
EDUCATION DIRECTOR

Rosie L. K. Main
ADMINISTRATIVE ASSISTANT

Ilene Longknife
FINANCIAL OFFICER

Aleta Speak Thunder
FINANCIAL OFFICER INTERN

Helen Stiffarm
SECRETARY

There are various programs and projects which fall under the Education Department, and each has its own coordinators, instructors, counselors, secretaries, etc. Following is a list of the programs and projects:

1. ADULT EDUCATION PROGRAM (AEP)
   Purpose:
   A. Assist 40 adults in earning their GED certificates each year
   B. Provide GED testing
   C. Provide life coping skill classes
   D. Provide cultural enrichment classes

The Adult Education Program also provides follow-up and placement of GED graduates.
Eligibility: Indian adults 18 and over.

2. COMPREHENSIVE EDUCATIONAL SERVICES PROJECT (CESP)
   Purpose:
   A. Implement five year educational plan for the Fort Belknap Reservation.
   B. Provide training and assistance to:
      1. Local parent committees
      2. Parents
      3. Schools
      4. School boards
   C. Provide services in:
      1. Financial aids and post-secondary assistance
      2. Career counseling
      3. Professional counseling
      4. Family counseling
      5. Student placement
      6. Staff and professional development.

The Fort Belknap Comprehensive Educational Services Project is funded by Title IV, Part "B," P.O. 92-318, Office of Indian Education, Department of Education.

3. CONSUMER EDUCATION PROJECT (CEP)
   Purpose:
   A. Meet the consumer education needs of the Fort Belknap area.
   B. Provide consumer education counseling services.
   C. Provide consumer education material to reservation residents.
   D. Develop consumer education material relevant to Indians.
   E. Publish a consumer education newsletter.
   F. Develop a service directory of available services.
   G. Conduct consumer oriented mini-workshops.

The Consumer Education Project is funded by the Office of Consumer's Education, U.S. Office of Education, Department of Education.

4. CAMPAIGN FOR HUMAN DEVELOPMENT PROJECT (CHD)
   Purpose:
   A. Provide leadership training concerning:
      1. Managing a career
      2. Community resources
      3. Family responsibilities
      4. Exercising community rights
   B. Provide life coping skill classes concerning:
      1. Legislative/voting processes
      2. Individual and civil rights
      3. Law and order
      4. Jurisdiction and public law (pertaining to Native Americans)

The Campaign for Human Development Project is funded by the Campaign for Human Development, the United States Catholic Bishop's Education Action Program, a nation-wide effort to fight the root causes of poverty in America.
Eligibility: All Fort Belknap area residents.

5. MOST IN NEED (MIN)
   Purpose:
   A. To improve the child's (age 0-18) opportunity and ease of entry into the human service system.
   B. To improve the individual child's access to all human services offered by the tribe, the Bureau of Indian Affairs, the Indian Health Service, the public schools, and the state of Montana's agencies.

C. To improve the quality of services currently being offered to reservation residents.
D. To create a Fort Belknap MIN Committee made up of human services personnel.
E. To create a linkage of MIN committee members and agencies in which the MIN population will be served without adding to their burdens.
F. A human services directory will be developed.

The Most In Need Project is funded by the National Institute of Mental Health, in cooperation with the Indian Health Service, Department of Health and Human Resources.

Eligibility: All children on the Fort Belknap Reservation (0-18).

6. VOCATIONAL EDUCATION PROJECT (VEP)

Purpose:

A. To provide long-term training in vocational agriculture to include on-the-job training.
B. To develop and implement a farming plan of action.
C. To provide long-term training in secretarial/clerical instruction, which also includes on-the-job training.
D. To provide career counseling services and placement to Indian youths and adults of the Fort Belknap Reservation.
E. To provide and co-sponsor workshops/seminars in management, leadership, vocational consumer education, and life coping skills.
F. Implementation of the 5-year vocational education comprehensive plan.

This project is funded through the Office of Education, P.L. 94-482, 1% set aside, Contract Program for Indian Tribes and Indian Organizations, Department of Education.

Eligibility: All Fort Belknap adults.

7. CURRICULUM DEVELOPMENT PROJECT (CDP)

Purpose:

A. To provide 10 comprehensive curriculum units and stories on the history, culture, and language of the Gros Ventre and Assiniboine people.
B. To develop a resource materials library on the history, language, and culture of the Gros Ventre and Assiniboine people.
C. To evaluate, validate, and test all curriculum units in the local school's curriculum, as well as provide training to teachers in the local schools on the use of the developed curriculum.
D. To conduct a feasibility study on the proposed development of a Fort Belknap museum to serve as a research center on Gros Ventre and Assiniboine history and culture.

8. NORTH CENTRAL MONTANA TALENT SEARCH PROJECT (NCMTSP)

Purpose:

A. The Fort Belknap Education Department has begun its NCMTSP to serve eligible youths (ages 14-27) in the tri-county area of Hill, Phillips, and Blaine Counties.
B. The main goal of NCMTSP is to provide eligible students with talent services that will better enable youths to pursue their education, especially post-secondary. This will be accomplished by identifying and recruiting eligible youths for the following talent search services:
   1. Assess and document potential for post-secondary education (including vocational education.
   2. Document financial and cultural needs of eligible participants.
   3. Provide career and academic counseling and guidance for counseling.
   4. Provide assistance in gaining re-admission to secondary schools and post-secondary schools.
   5. Provide information on student financial aid.
   6. Assist participants enrolling in post-secondary institutions in obtaining financial aid.
   7. Provide follow-up for participants who are enrolled at post-secondary institutions and vocational institutions.

Eligibility: Ages 14-27; residents of Hill, Phillips, and Blaine Counties; serving Indian and non-Indian students; low annual income or culturally deprived.

9. VOCATIONAL BUSINESS ADMINISTRATION PROGRAM

Purpose:

A. To provide instructional training to 10 members of the Fort Belknap Indian Community in vocational business administration.
B. At completion they will have earned an Associate of Arts degree in Business Administration.

Eligibility: Anyone with a high school diploma or GED.

10. NATIVE AMERICAN PRIVATE SECTOR INITIATIVE PROGRAM (NAPSIP)

Purpose:

A. Provides vocational training in electrical welding for 10 Fort Belknap Indian trainees. This training includes classroom instruction, welding shop training, and field training.

B. Trainees selected for this program will receive an hourly stipend for the 12 months of the training program. The program includes a 6-month on-the-job training session, in which the trainees will be placed with the Northern Montana Manufacturing Company in Havre, Montana.

Eligibility: GED or a high school diploma.

11. HIGHER EDUCATION PROGRAM

Purpose:

To provide higher education opportunities to Indian adults who choose to pursue a college education for purposes of obtaining a degree in a wide range of career choices.

Eligibility: Enrolled Indian adults who are high school graduates or have a GED certificate. Must possess an Indian blood degree of at least ¼ enrolled member (Gros Ventre or Assiniboine), or be a direct descendant of an enrolled member. A non-member (member of another tribe) must provide proof of at least ½ blood degree.

12. CHRISTIAN CHILDREN'S FUND

Purpose:

Provides sponsorship to needy children between the ages of 4-17½ years living on or near the Fort Belknap Indian Reservation. Children accepted into the program are provided a clothing allowance on a quarterly basis, which is provided by the National Christian Children's Fund located at Richmond, Virginia, or by the child's individual sponsor. The sponsors are people throughout America who care enough to want to help at least one needy child.

Eligibility: Any needy child between the ages of 4-17½ who is accepted by the nation CCF Office for scholarship.

13. JOHNSON O'MALLEY (JOM)

Purpose:

JOM funds are used to meet the special educational needs of Indian children within local schools, as determined by parent advisory committees and school boards. In recent years, JOM funding has greatly improved the educational opportunities for Indian children of Fort Beklnap. Parental involvement on local parent advisory committees is essential to the continued success of these programs.

Eligibility: Indian children in School Districts 50, 12, and in Dodson. This program is for low income-family children of Hays/Lodge Pole, Harlem, and Dodson school districts who are between 5-18 years old.

14. FORT BELKNAP EDUCATION SCHOLARSHIP

Purpose:

The Fort Belknap Education Department annually awards two scholarships of $500.00 each to college students meeting specific criteria.

The scholarship funds are:

1. The Billy Tucker Memorial Scholarship, which was created in 1978 in memory of William "Billy" Tucker, one of the first Indian educational leaders of Fort Belknap.

"De Kiva" Native American Scholarship, which was established in 1977, and is sponsored by an organization in the Netherlands which has an interest in American Indians.

The Fort Belknap Education Department also annually hosts an Education Conference in April. The purpose of the conference is to help the people of Fort Belknap to become aware of various educational issues, concerns, opportunities, and programs at the Reservation and in surrounding areas. Outstanding educators and students are recognized and honored during the conference, in order to motivate and encourage our people to continue their education.

The Fort Belknap Education Department administrative staff are developing, or planning to develop, the following educational programs within the near future to provide services not yet being met at Fort Belknap:

- Metric education programs
- Gifted and talented program
- Handicapped program
- Fort Belknap artist program
- Cooperative education program
- Talent search program

Additional future program developments are based on educational need as determined by the Fort Belknap Community Council and the Fort Belknap Reservation-Wide Education Committee.

• Information taken from *Comprehensive Consumer Services Directory* by the Fort Belknap Tribal Education Department, and the Fort Belknap Education Department.

FORT BELKNAP COMMUNITY COUNCIL

The following are education programs that fall directly under the Fort Belknap Community Council:

1. FORT BELKNAP HEAD START PROGRAM

   This program is designed to meet the needs of disadvantaged three, four, and five year old children on the reservation and adjacent towns where Indians are located.

   Head Start is designed to help break the cycle of poverty by providing pre-school children of low income families with a comprehensive program to meet their emotional, social, intellectual, health, nutritional, and psychological needs.
2. FOSTER GRANDPARENT PROGRAM

   This program teaches pre-school children Indian customs and language. There are three different languages on the reservation. By spending time with the youngsters before they enter the public school system, the elders help them to be better prepared for the English language and the customs of non-Indians.
3. HANDICAPPED PROGRAM

   This program is designed to provide a comprehensive educational involvement for handicapped pre-school children. It also works with children individually and in the classroom in areas of speech therapy, physical therapy, etc. Three and four year old children who are enrolled in Head Start are eligible for this program.
4. INDIAN ACTION PROGRAM (IAP)

   This program is designed to develop capabilities of Indian tribes and individuals to maintain, operate, and manage reservation facilities, resources, and programs – a factor which facilitates the implementaton of the Bureau policy of Indian self-determination. The IAP provides a mechanism for the development of necessary job skills and management abilities, which permit the participating tribes to make sound decisions in assuming programs operated on the reservation. Anyone enrolled on Fort Belknap is eligible for this program.

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* Information taken from *Comprehensive Consumer Services Directory* by the Fort Belknap Tribal Education Department.

PURPOSE OF PLANNING

The planning process can be used by the tribes to evaluate and choose rationally among feasible alternatives to achieve their goals of human and material resource development. Planning can be used to justify required funding for proposed projects. Since funding is a pre-requisite to implementation of a planned project, and since planning without implementation has little value, then planning for use in acquiring the necessary resources is certainly a legitimate purpose for planning.

WHAT CONSTITUTES A PLAN

Traditional planning concepts include a somewhat formalized series of phases of the planning process, which can be generally summarized as follows:

1. DEVELOPING A RESOURCE INVENTORY AND EVALUATION including human, natural, and physical resources. This points out the building blocks that the tribes have available for developing their resources.
2. EVALUATING LONG-RANGE GOALS AND NEEDS encourages the local citizens to state their goals and needs, and to establish general priorities for satisfying them.
3. DETERMINING OBJECTIVES AND PROJECTS assists the tribes in selecting specific development alternatives. At this stage, the specific priorities are established to help close the gap between the present conditions and what the local citizens desire for long-range goals.
4. FUNDING AND IMPLEMENTATION is no doubt the most important phase of the planning process. Local involvement at this stage helps assure that the local people will be served by the implemented project; and conversely, that the project will have the genuine support of the local people.
5. PROGRAM EVALUATION permits the local citizens to determine the effectiveness of the implemented project in satisfying the goals and needs of the members. Re-direction of goals or re-ordering of priorities can then take place after some implementation has actually occurred.

While the above list of traditional planning phases can serve as a logical sequential guideline, the planning process should not be forced into following a pre-determined, rigid format. Remembering that the planning process is a tool to assist in development, then the planning process must be shaped (like a tool-maker shapes a tool) to accomplish the planning task on a given reservation community.

Any group that is in the process of completing a comprehensive plan can resort to partial planning, wherein it begins planning and implementing the most obviously feasible development alternatives that will lead them toward some over-all goals. Later stages of planning might then include a more complete planning effort to determine other less obvious development alternatives. Partial planning with implementation is better than a complete master plan that is hopelessly complicated and therefore impossible to implement. Early success in implementation leads to continued success in subsequent planning efforts.

A crisis in planning often becomes apparent when the time comes to implement the plans. This often does not mean that the fault lies with the persons charged with the responsibilities of implementation. Rather, it is the fault of the planning process, because means of funding, implementation, and managing of the project were not adequately provided for in the plan. The planning process therefore cannot be separated from implementation.

THE PLANNING OUTLINE

Because all tribes and native groups are not at the same level in the development of a comprehensive plan, it is impossible to design a standard planning format that will meet every need in fulfilling all the requirements necessary in the formulation and completion of a comprehensive plan. Also, not all of the reservations have the same quantity or quality of input, such as natural resources, agriculture, personnel, etc., that would meet all the criteria in a standard planning format. Briefly stated, the extent of planning that is needed varies between tribes, depending upon the local conditions that prevail. However, an outline of some of the material which could be utilized in developing a plan is presented as a general guideline for persons involved in planning for Indians.

I. Introduction — Areas contained under this heading could include, but are not limited to:
   A. Setting — The setting should reflect the general situation and conditions that exist, not only on the reservation or community, but also in the surrounding area. Some of the factors which should be included in the setting are:
      1. Location — A brief description of the present location, with maps and/or photos for illustrative purposes.
      2. General population — An analysis of the population and population trends of the areas.
      3. General economy — A brief narrative explaining the general economy of the area and the reservation.
      4. Topography — A description of the topography of the area, including principal rivers, mountains, etc.
      5. Climate — A narrative of the general climate conditions of the area, and special attention to those climatic conditions that affect the economy and living conditions of the area.
      6. Other general factors that pertain to the general area:
         A. History — A review of the tribe's history or culture.
         B. Tribal or community organization — A brief review of the organization, including the election process, term of office, executive committees, etc.

II. Social and Economic Characteristics — By utilizing the census data, and especially the Fourth Count Census tape, it is possible to obtain social and economic data for Indians. This census data can be compared to county, state, and national data for comparative analyses. Other sources of data (county, state, and statistical reports, the B.I.A., community action programs, etc.) exist, which can be utilized in the plan. By analysis of all data, such as time series, trend projections, comparative analysis, etc., social and economic characteristics can be realistically presented in the plan. The use of charts, graphs, tables, etc., assists in effectively illustrating the social and economic characteristics of the plan. Some of the areas under this heading are:
   A. Population distribution and trends and median age.
   B. Income
      1. Family income
      2. Per capita
      3. Poverty index (percent and number — above and below)
      4. Source of income
      5. Other income data.

C. Education
   1. Educational level of persons over 25 years of age.
   2. Number and distribution of enrolled students.
   3. Other eudcational data.

D. Labor
   1. Number and percent in labor force
   2. Number and percent unemployed
   3. Type and kind of employment
   4. Other labor data.

E. Housing
   1. Number of homes needed
   2. Number of unsound homes
   3. Number of owner/renter homes
   4. Other housing data.

F. Health Facilities
   1. Kind and type available
   2. Personnel and facilities needed
   3. Other health data.

G. Community Services
   1. Analysis of the percent and needed services would include:
      a. Fire protection
      b. Police protection and legal system.
      c. Roads
      d. Water for domestic use
      e. Electricity
      f. Air service
      g. Other community services

III. Natural Resources — On some reservations, agriculture and/or forestry is the main source of income to the tribe, and these resources need to be fully analyzed in the planning process. Some of the areas in agriculture and forestry that should be included in a plan would be:

A. General description
B. Present land use
C. Ownership
D. Production and trends
   1. Crops
      a. Dryland
      b. Irrigated
   2. Livestock
   3. Timber
E. Hunting and fishing — uses, rights, and needs
F. Future developmental alternatives

IV. Mineral and Water Resources — The reservations that have mineral and water resources should determine the availability and potential of these resources in the plan. In most cases the State Bureau of Mines, the Oil and Gas Commission, the Water Resources Board, the U.S.G.S., and other organizations have data on the mineral and water resources throughout the state.

V. Industrial Development – Nearly all reservations are promoting industrial development as a means of solving income/unemployment problems. While some industries on reservations have been successful, some have not.

To help assure successful industrial development on a reservation, the tribe should thoroughly understand the realistic potential of industrial development. Some of the areas that need reviewing in a plan are:

A. Resources available
   1. Labor
   2. Raw material
   3. Capital
   4. Other
B. Management
C. Marketing
D. Transportation
E. Demand for finished product
F. Industrial development alternatives that are consistent with the factors analyzed.

VI. Recreation and Tourism — Some tribes who have recreational development potential have begun to capitalize on this area as a source of income. However, before they can wisely decide to enter a recreational or tourism enterprise, an understanding of the advantages and disadvantages of the recreation business should be fully studied and included in the plan. Some of the areas of recreation and tourism which should be in the plan are:

A. Facilities and resources available
B. Cost-benefit to additional alternatives
C. Number and trend of tourists in reservation area
D. Management requirements
E. Disadvantages and advantages of tourism
F. Other factors

VII. Specialized Development Studies — In some cases, it will not be feasible or realistic to have completed at one time a complete and detailed comprehensive plan. Therefore, it may be necessary for partial planning elements which, when combined with on-going elements of planning, will eventually result in a tribal plan. In some cases, it is necessary to conduct specialized development studies for project development. These studies usually concentrate on one particular segment or project, which will also become part of the over-all tribal plan. These studies usually require professional expertise that is not available on the reservation.

PLANNING RESPONSIBILITY

In conclusion, ideally all people who will be affected by the implemented plan should have a voice in the planning effort. Tribal and native group leaders, together with their members, must have primary responsibility for the planning process in their localities. A high degree of local involvement will assure that local needs and goals are incorporated into the plan, and local involvement will also give the citizens a responsibility for implementing the plan.

COMMUNITY HEALTH REPRESENTATIVES

This division provides out-reach services to the community, and coordinates with and assists all health programs in meeting the needs of the community; conducts home safety, home education, and prevention programs; provides patient transportation where appropriate and necessary; responds to emergency medical needs; organizes and implements special clinics; and conducts follow-up and referral services.

The Community Health Representative Program (CHR) was implemented to improve the health knowledge, attitudes, and practices of Indian people residing on and/or near reservations/communities by promoting, supporting, and assisting Indian Health Services (IHS), clinical health services, and rehabilitative health services.

PROGRAM GOALS OF THE FORT BELKNAP CHR

1. To reduce health-related problems on the Fort Belknap Reservation.
2. To develop a better relationship with the IHS staff and the Fort Belknap people on the reservation.
3. To develop a better understanding of the traditions, customs, and culture of the people.

COMPONENT GOALS

1. To put kidney patients on the hemodialysis machine 3 times a week, transport the patients for their monthly checkups, and see that the patients exercise daily.
2. Provide a dental CHR to work as a dental assistant in the Fort Belknap Hospital Clinic 5 days a week.
3. Assist in transportation of students when necessary.
4. Patients' appointments and referrals will be made, and the patients will be notified.
5. Provide dental education in schools and communities.
6. Assist in the eye clinic.
7. Schedule and assist in the screening of school children in Lodge Pole, Hays, and Harlem during the 1981-82 school year.

8. Order, receive, verify prescriptions, and distribute glasses each month.
9. Transport diabetic patients to the clinic when they are unable to obtain other transportation or are in a diabetic emergency.
10. Obtain supplies and medications for home-bound or ill diabetic patients.
11. Encourage testing of suspected diabetics.
12. Identify and maintain constant contact with diabetics.
13. Identify, maintain contact with, and monitor conditions of patients with cardiovascular disorder.
14. Transport cardiovascular disorder patients to the clinic when they are unable to obtain other transportation, or when the patient is unable to drive.
15. Maintain contact with the elderly, and refer senior citizens to medical staff as indicated.
16. Identify lists and explain alternate resources that residents can use in addition to the hospital resources.
17. Assist residents in completing alternative resource application forms.
18. Participate in community activities, and assist families during times of need in a leadership role.
19. Provide, conduct, and coordinate first-aid CPR training as indicated.
20. Follow children from infancy through high school, and work closely with parents, the IHS, and the SRS.

PROBLEMS OF THE FORT BELKNAP RESERVATION FROM A CHR'S POINT OF VIEW

1. Dialysis
2. Dental
3. Eye glass
4. Diabetes
5. Cardiovascular
6. EPSDT
7. General leadership, Medicare, Medicaid, and senior citizens.

ALCOHOLISM AND DRUG ABUSE DETOXIFICATION PROGRAM

The Fort Belknap Alcoholism Program has been in existence since 1970. In 1972, a National Institute of Alcohol and Alcohol Abuse (NIAAA) grant for program operation was received, and on November 1, 1978, it was transferred to the IHS with a first-year operational grant of $44,964. The detoxification facility was established in August, 1974 with a present contract of $136,389 from the IHS. The program is also licensed by the State of Montana for detoxification, intermediate care, and outpatient care, and has received during the past four fiscal years the following levels of state support:

1978 — $9,364.00 1979 — $6,127.00 1980 — $000.00 $1981 — $15,089.00

DETOXIFICATION: (SOCIAL SETTING)

Upon entry into the detoxification facility, a detox attendant counselor documents an evaluation of the physical status of the client, noting the stage of alcoholism the client is in, the referral source, medication treatment, behavior status, physical complaints, and vital signs.

Clients with physical injuries or existing mental illness will immediately be transferred to the Indian Health Service medical facility for diagnosis and treatment.

The counselor on duty will consult the IHS physician to obtain approval of the administration for patients on prescription medication.

If the client's condition will permit, an interview is documented consisting of social history, medical history, alcohol use, and treatment history. The routine admitting procedure includes orientation to the guidelines, policies, and procedures for residents of the facility.

Clients who are extremely disoriented and in a state of uncontrollable intoxification will be removed to a holding cell in the security of the nearby confinement facility until their condition has stabilized and they can be admitted into the detoxification facility.

Upon admittance to the facility, the attendant counselor documents a treatment contract in the form of an agreement statement, which is signed by the client.

Counselors will determine the length of stay of the clients in the detoxification unit, and it will be at least five (5) days.

Upon admission into the detoxification facility, clients will be required to follow these established rules:

1. Clients are restricted to the premises for the entire length of committment.
2. It is mandatory that each resident take a shower.
3. Each resident is required to wear pajamas for at least five days.
4. Clients are required to get a physical from the IHS medical staff, which will be done before the client is dismissed from detox.
5. No visitors or phone calls are permitted during the first five (5) days.

INTERMEDIATE

The average length of stay during intermediate care is fourteen (14) days. A client who has been transferred from detoxification will undergo the following treatment plan:

1. The client will be assigned a counselor, who in cooperation with the client will develop a treatment plan.
2. A counselor is always available for any client who desires one-to-one counseling.
3. Upon entrance into intermediate care, the client will be referred to the IHS for a routine physical examination, and the results will be documented in the patient's chart.
4. Some clients will be evaluated by a mental health counselor and introduced to weekly group therapy sessions conducted by the alcohol program's personnel.
5. The client will receive daily individual and group therapy sessions conducted by the alcohol program's personnel.
6. Early in treatment, health and personal hygiene will be included in the patient's treatment plan.
7. The outreach counselor will contact the client's family to coordinate and involve them in the patient's rehabilitation.
8. All clients are required to attend Alcoholics Anonymous meetings. There are usually three (3) per week scheduled in the community and surrounding areas.
9. A modified form of occupational therapy will be provided through work assignments.
10. As the client's physical and mental condition stabilizes, social services will be provided. Each client will be provided with a minimum of one hour per week of life coping skills.
11. Recreational services for each individual will be planned in conjunction with the tribal recreation department.
12. All other resources that are available will be provided, i.e., guest speakers, audio-visual aids, etc.
13. Treatment planning will be available to clients living outside the facility on a volunteer basis.
14. Any client whose progress has proven unsatisfactory will be referred to the proper agencies.
15. Before the client is discharged from the alcohol unit, his or her progress and ability to be discharged will be reviewed at the weekly client staffing session.

OUTPATIENT

Every counselor or employee of the Fort Belknap Tribes Alcoholism Program must provide follow-up services to their clients, whether it is on a daily, weekly, or bi-weekly basis. But it must be done at regularly scheduled intervals (90 to 180 days), and this pertains to the counselor's entire case load.

PROCEDURES:

1. Negotiate a verbal contract or committment prior to the visitation schedule write-up.
2. Provide the client with the option of the time, place, and date.
3. The counselor must meet the scheduled appointment with the client or notify the client of the emergency that arose and set another date. The counselor must make this same type of arrangement if and when the client has an emergency that is valid enough to warrant cancellation of the appointment.
4. Document each and every visitation with the client in the folder.
5. The counselor must be prepared to be on call twenty-four (24) hours, since the client may contact the counselor in case of emergency.
6. The counselor must attempt to involve and include the spouse and children whenever feasible.

Fifty-one (51) education workshops were provided to 1,034 students in the elementary and high schools in the Hays, Lodge Pole, and Harlem areas. Out-patient services were provided to 491 clients during fiscal year 1981.

The half-way house is a new component within the treatment program. Services offered are:

1. Initial interview and screening
   - A. Make up a file which will consist of:
     1. Initial contact form
     2. Intake
     3. Admission form
     4. Program notes
     5. Court order/voluntary committal
     6. Medication log and vital signs chart
     7. Application for assistance; authorization for third party payment
     8. Treatment plan
     9. Referrals
     10. Confidentiality
2. Guidelines
   - A. In-house rules
3. Orientation
   - A. Group leader will orientate new clients
4. Treatment schedules
   - A. The client will follow the weekly schedule and also an individual schedule
5. Education will cover the following:
   - A. Alcohol education
   - B. Types of drinkers
   - C. Medical aspects
   - D. Intervention/prevention
6. Family
   - A. Get the family members involved
   - B. Marital counseling
   - C. Sexuality
   - D. Family planning
   - E. Communications
7. Employment — social and recreational evaluation and treatment plan
   - A. Life coping skills
   - B. Financial
   - C. Budgeting
   - D. Follow-up and after care (out-patient)

ALCOHOLISM

At the Fort Belknap Service Unit, alcoholism is the number one health problem, as it is in the overall Billings area. Alcohol misuse accounts for approximately 17-20% of the mental health caseload, although the number of clients with problems as a result of alcohol misuse within the family is much higher; nearer 60%. According to figures available in fiscal year 1978, alcohol was related to 10.3% of the total accident cases seen at the Fort Belknap Service Unit. 11.6% of the "motor vehicle accidents" were alcohol-related.

In fiscal year 1979, a contract to provide alcohol detoxification services in the amount of $56,566.00 was negotiated with the Fort Belknap Tribe. In addition, $44,964.00 was received from the NIAAA. These services are provided on a twenty-four hour a day, seven days a week basis.

TRIBAL HEALTH

The Fort Belknap Tribal Health Department was established in 1976. The Fort Belknap Community Council is the governing body. Like many governing bodies of reservations in the Billings area, Tribal Health has a variety of health contracts with the Indian Health Service. Current programs include the Alcoholism/Detoxification Program; Community Health Representatives (CHR); Family Planning; training and staff development; Women's Infants, and Children's Program (WIC); and the Utilities and Maintenance Division.

The Fort Belknap Tribal Health Department is an instrument of the tribal government, and is the principal health care organization.

The Tribal Health Department coordinates and administers all existing tribal health care programs, and is working to improve the management and operation of health care delivery.

The Health Department is also developing and hopes to implement new health care programs in response to community needs, and is providing long-range comprehensive health care planning.

"The tribal health board determines health department policy, directs health department administration, and assumes resonsibility for comprehensive health care planning and development. The board also estabhishes administrative controls and regulations for health department operations."

As a direct result of a feasibility study which was carried out by personnel of the Fort Belknap Community (initially from June 7, 1976 to September 30, 1976 and extended to December 31, 1976) under Health Services Administration (HSA) Contract No. 244-76-0104, a health need was articulated by three communities of the Fort Belknap Reservation. The need which was articulated and identified was to establish a Fort Belknap Tribal health program.

A. TRIBAL HEALTH DEPARTMENT
   1. Community Health Representative Program
   2. Family Planning Education Program
   3. Alcoholism and Drug Abuse Detoxification Program
   4. Utilities and Maintenance Division

B. THREE COMPONENTS OF THE FORT BELKNAP TRIBAL HEALTH DEPARTMENT:
   1. Tribal Health Board
   2. Tribal Health Department staff
   3. Tribal Health Act

C. TRIBAL HEALTH PROGRAMS PRESENTLY UNDER DIRECT SUPERVISION OF THE FORT BELKNAP TRIBAL HEALTH DEPARTMENT
   1. Fort Belknap Community Health Representatives Division
   2. Alcoholism/Detox Division
   3. Family Planning Division
   4. Utililties and Maintenance Division

D. TRIBAL HEALTH STAFF

The Fort Belknap Tribal Health Department employs nine professional staff members who are delegated the responsibility of administering the Fort Belknap Tribal Health Department:

1. Director
2. Assistant director
3. Program planner
4. Finance and contracting officer
5. Secretary/receptionist
6. Payroll clerk
7. Clerk-typist
8. Training officer
9. Maintenance

FAMILY PLANNING EDUCATION PROGRAM

This program provides the focal point in the community for promoting family planning, sex education, and prevention or conception. Services include pre-conceptual and pre-natal care, nutrition and weight control, correction of existing health problems related to pregnancy, making sure that pregnant women get to the pre-natal clinic, counseling mothers of unwanted pregnancies, and providing follow-up and referral services.

On the Fort Belknap Service Unit as of June, 1979, 15 percent of the women aged 15-44 years were using contraceptives provided by the IHS. The fertility rate for the five-year period of 1973-1977 was 178.5 births per 1,000 women age 15-44 years. The United States all races fertility rate in 1976 was 65.8. Of the live births on the Fort Belknap Service Unit, 13.9 percent are to women under 18 years of age.

The Fort Belknap Community Council has health contracts with the Indian Health Service to include:

1. Community Health Representative Program (CHR)
2. Family Planning Education Program
3. Alcoholism and Drug Abuse Detoxification Program.

It was realized that Fort Belknap has many health-related programs and contracts, and that there was no centralized direction or cohesion among these programs. In January 1977 a proposal was submitted for Public Law

93-638 for grant monies to establish the Fort Belknap Tribal Health Department, which would centralize the administrative direction of all Fort Belknap tribal health programs, thereby unifying health program efforts. The proposal was funded by Grant Award No. 59-A-000003-01 for the amount of $150,151.00 by the Indian Health Service for fiscal year 1977-1978. The three components of the Fort Belknap Tribal Health Department are:

1. Tribal Health Board
2. Tribal Health Department staff
3. Tribal Health Act.

INTERVIEW WITH MR. TENNYSON DONEY, SERVICE UNIT DIRECTOR, FORT BELKNAP HOSPITAL

Doctors that come to the Forb Belknap Hospital come only on a voluntary basis. The doctors that come to Fort Belknap are putting in hours as payment for loans or grants, and they are required to stay for two years. The doctors can either pay off the loans in places as a Indian reservations, out in the sticks where no other doctors like to go, in the Navy, the Army, or prisons and other institutions. Doctors that come to the Fort Belknap Hospital are picked with Indian preference in mind.

The Public Health Service (PHS) has a recruitment program located in Billings to locate these doctors and to bring them to the Fort Belknap Hospital.

NURSING – The United States has a nursing shortage, and nurses are in quite a demand. The PHS also recruits nurses like the recruitment of doctors. Why is there a shortage of nurses? Because nursing is a very demanding profession. Nurses see a lot of suffering and dying. Most of these people either quit or do other types of work associated with health care. The job of the recruitment center is to get these trained and schooled persons back into nursing. When hiring nurses, again like the doctors, preference is given to the Indian person.

LAB AND PHARMACY – Persons are also recruited to fill any vacancies in these areas. When the hospital wants people, it advertises for them nationwide, hoping to get the most qualified persons, and maybe even Indian persons.

The doctors that come to Fort Belknap are qualified physicians. I believe most people on the reservations believe that the doctors at the hospital are second-rate, but these people have completed medical school. They're not specialists, but they are general practitioners.

When these doctors see a patient who has a very serious or special problem, the patient is sent to a specialist in another PHS hospital. The cost is picked up by the PHS people in Billings. If the specialist's bill is over 5,000 dollars, that bill is also sent to Billings.

In 1981 – later 1981, that is – the hospital will have specialists coming in for the first time in the hospital's history. At a later date, it will be known what type of specialists.

The Fort Belknap Hospital has four full-time doctors on staff. The hospital has one and one half dentists on staff. Dr. Cody is at the hospital on Monday, Wednesday, and Friday. On Tuesday and Thursday he is at the Hays Clinic. On Tuesday and Thursday, a dentist comes down from Rocky Boy to work at the Agency.

"The Fort Belknap Hospital is obligated to see non-Indians only in an emergency situation, and if a non-Indian is married to an Indian resident of Fort Belknap. The hospital has been accredited for two years running. An accredited hospital is a good hospital, and must meet all requirements for accreditation. The hospital has two mock disasters every two years. If a disaster happens, that is counted as a mock disaster, and of course, this is for accreditation purposes.

The Fort Belknap Hospital has an average of 22,000 patients per year. The Hays Clinic has an average of 45 per day, but in the winter months up to 85 per day, the reason being that upper respiratory infections happen more often in the colder winter months.

The budget for the fiscal year of 1981 is $1,635,000, an increase of only $65,000 over last year. $188,000 should have been the increase, going along with the rate of inflation. The sole reason this amount was not budgeted is the Reagan cutbacks.

The ambulance situation in and around Fort Belknap was bad, as there was only one ambulance, located at Fort Belknap, for the folowing areas:

1. Hays
2. Fort Belknap Agency
3. Harlem
4. Turner and Hogeland
5. Lodge Pole.

Ambulances are now located in the following places:

1. Harlem
2. Agency
3. Hays
4. Lodge Pole (a modified ambulance)

CONTRACT MEDICAL CARE

In addition to direct medical care, services are provided to Indian people (who meet the "on or near" criteria) by private medical and dental facilities on a contract basis. The purpose of this program is to provide health services otherwise not available to the patient, either because the illness is beyond the scope of the Indian Health Service program, or because the patient is temporarily away from the reservation. Other patients within the priority of contract health services funds include students and persons in BIA-sponsored re-location programs.

The contract medical facilities include consultant service from Havre, Great Falls, Billings contract physicians, and the Seattle U.S. Public Health Service Hospital physicians. These physicians represent the specialties of internal medicine, pediatrics, obstetrics and gynecology, surgery, psychiatry, otorhinolarynology, and dermatology. These physicians have admitting privileges collectively for Northern Montana Hospital in Havre, Deaconess Hospital and Columbus Hospital in Great Falls, Deaconess Hospital and St. Vincent's Hospital in Billings, the U.S. Public Health Service Hospital at Warm Springs, and the Montana State Tuberculosis and Respiratory Sanitarium at Galen, Montana. Each of these hospitals is utilized for patients requiring these services.

During fiscal year 1978 there were 219 discharges for 972 days, with an average length of stay of 4.4 days. The cost of these inpatient services was $309,599.00. Outpatient services accounted for 975 visits, for a total cost of $106,453.00. The total contract health service budget (excluding dental) for the Fort Belknap Service Unit for fiscal year 1978 was $460,191.

TRIBAL HEALTH BOARD CHAIRPERSON

By request of the Fort Belknap Tribal Health Board, in addition to the formal 93-638 proposal, it is requested that the Tribal Health Board Chairperson, an elected official, be paid an annual salary commensurate with his/her duties as the board chairperson.

Since the formation of the Tribal Board, and the expansion of the Board and the Tribal Health Department, the board chairperson has in effect become responsible for the following duties:

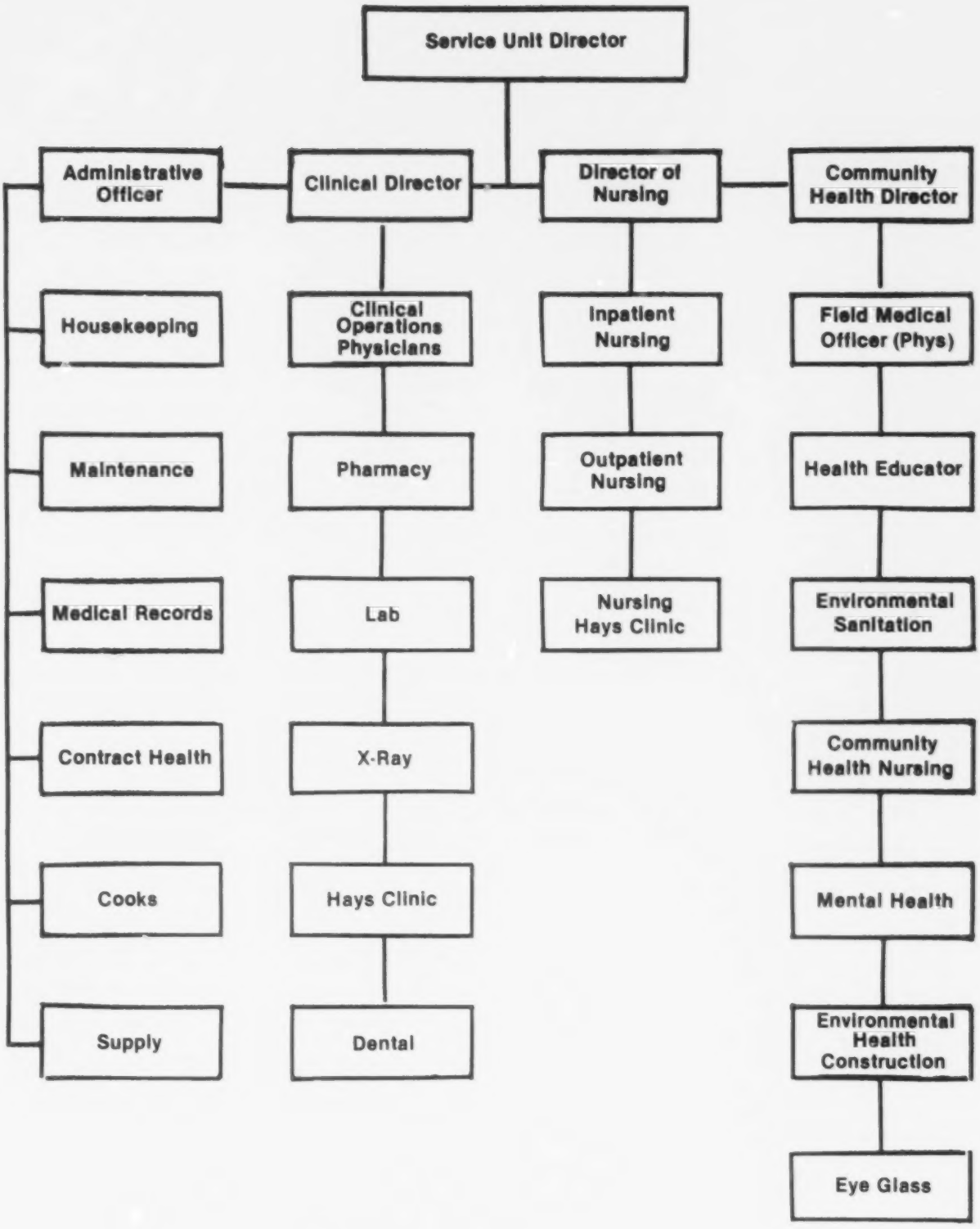
1. Presiding at Tribal Health Board meetings.
2. Preparing an agenda for Board meetings.
3. Following up on Board agendas.
4. Public relations.
5. Be a member of the Billings area Health Board.
6. Keeping Board members and Fort Belknap Community members better informed.
7. Maintaining an office in the Tribal Health Department.
8. The Health Board chairperson is accountable to the Fort Belknap Community Council and the Tribal Health Board.
9. Performing other duties as directed by the Health Board.
10. Travel in order to help the health director procure funds for the Fort Belknap Health Department, and to fulfill other Health Board business matters.

FAMILY PLANNING

It is the goal of the Billings Area Indian Health Services that all pregnancies be planned and wanted, optimally spaced for health of mother and child, and the total number limited to the number of children that can be supported with love and care. At the same time, the decision to have or not have a pregnancy, or to use a contraceptive device or method, is a decision of the individual. There may not be any coercion. Family planning information is provided as an integral part of health care.

Counseling is available for women with an unwanted pregnancy. The three choices available to her will be explored, and the woman, and her family, if she desires, can choose the alternative she believes best for her. She can continue the pregnancy and keep the child or place it for adoption, or abort the pregnancy. Abortions may be provided by the Indian Health Service upon the patient's request up to the 24th week of gestation.

When a person has decided that he or she desires no further pregnancies, then sterilization is a reasonable alternative to long-term use of contraceptives. In the course of health care, individuals will be informed that sterilization is an alternative that is available. The decision to undergo sterilization is that of the individual. He or she must not be coerced. IHS may not provide sterilization to anyone who has not reached the 21st birthday, for any reason, either directly or through contract health services. Nor may IHS provide sterilization to anyone incompetent of giving legal, informed consent, for any reason, regardless of age. An informed consent must be obtained at least 30 days prior to the procedure.


Service Unit Director
Administrative Officer
Clinical Director
Director of Nursing
Community Health Director
Housekeeping
Clinical Operations Physicians
Inpatient Nursing
Field Medical Officer (Phys)
Maintenance
Pharmacy
Outpatient Nursing
Health Educator
Medical Records
Lab
Nursing Hays Clinic
Environmental Sanitation
Contract Health
X-Ray
Community Health Nursing
Cooks
Hays Clinic
Mental Health
Supply
Dental
Environmental Health Construction
Eye Glass

INDIAN HEALTH SERVICE

A. Administration
B. Clinical Services
C. Community Health Nurse
D. Dental
E. Environmental Health
F. Health Education
G. Ear, Nose, & Throat (ENT) Audiology
H. Hospital Services
I. Optometry Clinic
J. Out-Patient Clinic
K. Pharmacy
L. Women, Infants & Children (W.I.C.) Program

MENTAL HEALTH SERVICE

A. Consultation and Educational Services
B. In-Patient Services
C. Out-Patient Services

ADMINISTRATION

Organization: Indian Health Service
Address: P.O. Box 849
Harlem, MT 59526
Telephone: 353-2278
Location: Fort Belknap Indian Hospital
Director: Mr. Tennyson Doney
Staff: Patricia A. Quisno, Hospital Administrative Assistant
Roberta L. Adams, Administration Clerk
Gloria J. Bordeaux, Clerk-Typist
Contact: Tennyson Doney, Service Unit Director
Purpose: Administration provides various services to Indian Health Service staff. This includes processing personal acts, travel orders and vouchers, ordering supplies, managing budgets, training, GSA vehicles, payroll, etc. Information is provided regarding possible vacancies and qualification required.
Eligibility: Person of Native American descent.

CLINICAL SERVICES

Organization: Indian Health Service
Address: P.O. Box 849
Harlem, MT 59526
Telephone: 353-2278
Location: Fort Belknap Hospital
Staff: Melvina Werk, Charge Nurse
Selena Ditmar, LPN
Frances Gone, LPN
Contact: Melvina Werk, Charge Nurse
Purpose: To promote health care through preventive medicine.
Hays Clinic, Tuesday and Thursday
Nurse Consultant – Ann Marie O'Leary, RN
Eligibility: Any individual with proof of Indian blood.

COMMUNITY HEALTH NURSE

Organization: Indian Health Service
Address: P.O. Box 849
Harlem, MT 59526
Telephone: 353-2278
Location: Blue trailer directly behind hospital
Staff: Vacant – Community Health Nurse
Ruth LaMere, LPN
Pat Bear, Clerk
Contact: Ruth LaMere, LPN
Purpose: Our goal is to elevate the health status of the American Indian people to the highest level.
Eligibility: All eligible for contract care; nust be a resident of Blaine or Phillips County.

DENTAL

Organization: Indian Health Service
Address: P.O. Box 849
Harlem, MT 59526
Location: Fort Belknap Indian Hospital
Staff: Dr. Mark Cody, Dentist
Geri Ann Fox, Dental Assistant
Daralynn Main, Dental Assistant/CHR
Angela Jackson, Dental Assistant
Contact: Dr. Mark Cody, Dentist
Purpose: To provide comprehensive dental services to all people within our service area target population in order to reduce the incidence of dental disease.
Eligibility: Persons of Native American descent.

ENVIRONMENTAL HEALTH

Organization: Indian Health Service
Address: P.O. Box 849
Harlem, MT 59526
Phone: 353-2278
Location: Green trailer behind hospital
Contact: Edwin Fluette, Service Unit Sanitarian
Purpose: To assist the Indian families in obtaining the highest level of health possible through improved water quality, proper waste disposal, food sanitation, air quality, vector control, celegration sanitation, accident and injury control, epidemiology, and emergency and disaster situations.
Eligibility: All members of the Fort Belknap Reservation.

HEALTH EDUCATION

Organization: Indian Health Service
Address: P.O. Box 849
Harlem, MT 59526
Phone: 353-2278
Location: Green trailer behind hospital
Contact: Vacant – Health Education
Purpose: To provide health education in four areas:
1. Community Health
2. Patient education
3. Staff support
4. School health

Eligibility: All residents of the Fort Belknap Service Unit Health delivery area.

EAR, NOSE, AND THROAT AUDIOLOGY (ENT)

Organization: Indian Health Service
Address: P.O. Box 849
Harlem, MT 59526
Phone: 353-2278
Location: Blue trailer behind hospital
Contact: Pat Bear, PHN Clerk
Purpose: Set up appointments for patients to be seen by contracted ear, nose, and throat specialist who is at the Fort Belknap Service Unit once a month. The following day a hearing aid clinic is held.
Eligibility: All persons eligible under contract care.

HOSPITAL SERVICES

Organization: Indian Health Service
Address: P.O. Box 849
Harlem, MT 59526
Phone: 353-2278
Location: Fort Belknap Hospital
Staff: K. McGuire
D. Domarek, RN
A. Siemens, RN
P. Sells, RN
L. Campenella, RN
L. Stump, RN
M. Frickle
M. Werk, LPN
D. Cochran, LPN
T. Cochran, LPN
H. Shortman, LPN
M. Gray, NA
Purpose: Care of hospitalized patients as the doctor orders. To restore to optimal health (for individual patient) with health teaching specific to illness or injury.
Eligibility: Individual with proof of Indian blood.

OPTOMETRY CLINIC

Organization: Indian Health Service
Address: P.O. Box 849
Harlem, MT 59526
Phone: 353-2278
Location: Green trailer behind hospital
Staff: Dr. Charlton, Optometrist
Philomayne Gone LaValdo, Optometrist Aide
Contact: Philomayne Gone LaValdo, Optometrist Aide
Purpose: To schedule appointments for eye doctor. Patients receive eye exams once every two (2) years. Also do frame repair, adjust frames, re-stock frames, and order frames from different companies. Send frames and prescriptions and P.D.'s. Also routine office work.
Eligibility: All Indian members, and anyone who wants to buy frames. Must pay for glasses and tint before sending to lab.

OUT-PATIENT CLINIC

Organization: Indian Health Service
Address: P.O. Box 849
Harlem, MT 59526
Phone: 353-2278
Location: Fort Belknap Indian Hospital
Staff: Medical Records Department
X-Ray Department
Emergency Room
1 Physician's Assistant
Laboratory
Pharmacy
3 Doctors
3 Clinical Nurses
Contact: Medical Records, Clinical Nurse
Purpose: Health Preventative services, special clinics; once a month
Diabetic Clinic;no other clinical appointments
Pediatric Clinic
Surgery Clinic
Developmental Disability Clinic
Eligibility: Native Americans and their descendants; non-Indian women married to Indian men.

PHARMACY

Organization: Indian Health Service
Address: P.O. Box 849
Harlem, MT 59526
Phone: 353-2278
Location: Fort Belknap Indian Reservation
Contact: Jim Rostedt, Pharmacist
Purpose: The pharmacy provides medications for patients eligible for care at the Fort Belknap PHS-IHS Hospital. In order to obtain any medication (Rx's, refills, and over-the-counter drugs), the person picking up the medication must notify medical records so that the patient's chart can be brought to the pharmacy. No medication will be dispensed unless the medical chart is brought to the pharmacy.
Eligibiligy: Native Americans and their descendants.

W.I.C. (WOMEN, INFANTS, & CHILDREN)

Organization: Indian Health Service
Address: P.O. Box 849
Harlem, MT 59526
Phone: 353-2278
Location: Fort Belknap Hospital basement
Contact: Marty Braach
Purpose: To provide pregnant, post-partum, and lactating women, infants, and children under 5 years old with supplemental foods, nutrition education, and health referral services.
Eligibility: Residents of Hill or Blaine County; not receiving W.I.C. elsewhere; must meet requirements, below 95% of poverty.
Nutritional risk, meaning: inadequate diet, anemic, over-weight, prevention of bottle-mouth, calcium deficiencies.

Family Size	Income Poverty Guidelines
1	7,160
2	11,680
3	11,680
4	13,940
5	16,200
6	18,470
7	20,730
8	22,990
Each additional family member	2,260

MENTAL HEALTH SERVICE — CONSULTATION AND EDUCATION SERVICES

Organization: Indian Health Service
Address: P.O. Box 849
Harlem, MT 59526
Phone: 353-2278
Location: Trailer behind hospital
Staff: Bob Escarceca, Director
Alvina Allen, Aide
Contact: Bob Escarceca
Purpose: Consultation and educational services to schools and other community organizations on subjects such as alcohol and child abuse are available. Other services include follow-up care, services for children and the elderly, and field visits to homes and schools in the community. Preventive help in dealing with the every-day realities that cause mental health problems is offered as part of all mental health services.

IN-PATIENT SERVICES

Organization: Indian Health Service
Address: P.O. Box 849
Harlem, MT 59526
Phone: 353-2278
Location: Trailer behind hospital
Contact: Bob Escarceca, Director
Purpose: Short-term, intensive treatment for hospitalized persons.

OUT-PATIENT SERVICES

Organization: Indiah Health Service — Mental Health
Address: P.O. Box 849
Harlem, MT 59526
Phone: 353-2278
Location: Trailer behind hospital
Contact: Bob Escarceca, Director
Purpose: Psychotherapy for individuals and families, marital counseling, and referral to other helping agencies.

DENTAL PROGRAM

Dental care at Fort Belknap is carried out by one dentist and two dental assistants. Limited funds are available for contract care in order to utilize area private dentists. Treatment is rendered at a two-chair clinic in the Fort Belknap Hospital and at a similar facility at Hays, 35 miles south of the hospital. Each clinic as been remodeled and is newly equipped.

Priority for treatment is given to school-age children. During the school year, adults are seen as time permits. Adult care is emphasized during the summer months. The dental staff attempts to care for existing dental problems, and at the same time stresses preventive methods for the patient's future well-being. Initially, patients are given any emergency care needed, followed by prophylaxis, a complete oral examination, and treatment planning. At each appointment, proper oral hygiene techniques are discussed and demonstrated.

A fluoridator is not in operation at the water plant at the agency or at Hays or Lodge Pole.

During fiscal year 1978, out of a target population of 1,106 (target population is 60.0 percent of population shown in Clinic Progress Report No. 2), there were 771 dental examinations provided under direct care. Dental care is also provided by contract dentists. The total contract cost for dental care for fiscal year 1978 was $9,676.00.

COMMUNICATION DISORDERS PROGRAM — ENT (EAR, NOSE, AND THROAT)

The Communication Disorders Program provides monthly ENT clinics at the Fort Belknap Service Unit. Services provided at these monthly clinics include otologic diagnosis trea'ment, as well as a full range of audiological services, including the fitting of hearing aids.

In addition to the monthly ENT clinics, facial anomalies clinics are held approximately twice a year. These clinics provide team evaluation of children and adults having such problems as first arche syndrome, cleft lip and/or palates.

Developmental disabilities clinics are also held at the Fort Belknap Service Unit. At these clinics, individuals referred to the clinics are evaluated by a team of professionals providing such services as pediatrics, audiology, PT/OT, psychological evaluation, etc. Recommendations and a long-range plan for rehabilitation of these individuals are developed by the team. Speech and language are available to individuals needing this service through contractual arrangements.

In January of 1980, the Communications Disorders Program began holding ENT clinics twice a month at the Fort Belknap Service Unit.

HOSPITAL OR CLINIC SERVICES

The direct medical services include an 18-bed hospital, an out-patient clinic, emergency room, ambulance service, an outlying clinic at Hays, suportive laboratory services, and contract facilities. The hospital provides medical, obstetric, pediatric, tuberculosis, and neuropsychiatric sessions.

The average daily patient load for fiscal year 1978 was 8.0, an increase of 31.2 percent from fiscal year 1977. There were 661 adult and pediatric admissions, an increase of 33.8 percent over 1977. There were 52 newborn admissions in fiscal year 1978, with an average newborn daily patient load of 0.4.

The out-patient clinic provides for illness and health surveillance requirements to patients Monday through Friday. All patients are seen on an appointment basis when possible. Pre-natal and well-child clinics are held twice weekly. In fiscal year 1978 there were 17,219 out-patient visits, an increase of 5.2 percent from fiscal year 1977.

The emergency room at the hospital is open 24 hours per day, seven days per week, for emergency care.

The hospital nursing staff and the physicians provide education and guidance to both in-patients and out-patients to help them understand their individual problems, and to increase their ability to assume responsibility for their health needs at home. This includes the new mother and her infant, parents of pediatric patients, daily living activities for the cardiac and diabetic patient, as well as medications and special procedures required at home. Individual and group counseling is available to pre-natal patients when they attend the weekly clinic. The Hays Clinic is staffed by a registered nurse, or physician's assistants, from 10:00 a.m. to 4:00 p.m. on Tuesdays and Thursdays.

OUT-PATIENT

Tables 21-22 show the 20 leading causes of out-patient services during fiscal years 1977 and 1978, and distribution by age group. These 20 leading causes accounted for 60% of the total visits, and as high as 73% of the total visits by specific age groups.

As can be seen from the tables, URI, the common cold, and acute otitis media are in the upper half of the 20 leading causes for both fiscal years.

The three categories, "laceration open wound," "dislocation and sprain or strain," and "superficial contusion" are reported separately. However, all three categories are related to accidents and violence. Accidents are the second leading cause of morbidity and mortality at the Fort Belknap Service Unit.

PHARMACY PROGRAM

The pharmacy program service provides for the in-patient and out-patient needs of the hospital. The pharmacy was expanded more than three-fold in size when a move down the hall from the old location directly across from the lab, to what used to be a four-bed ward, was completed in April of 1976. The square footage of the old pharmacy was compared to 414 square feet of floor space in the new pharmacy location, but there is still a shortage of storage space. Even though there is an abundance of open shelving in the pharmacy, there is no place for building storage. The pharmacy overflow room in the basement, which once was utilized for storage of building items, was converted into an office for the WIC program.

In-patient services include drug distribution to the nurse's station by an automatic replenishment system for ward stock, chart review for drug incompatibilities and correct transcription of medication orders, re-stocking the unit dose cabinet which contains a separate drawer for each in-patient's medications, and providing drug information for the nursing and medical staff, including in-service training.

Out-patient services consist of providing medications, which are filled directly from the patient's medical record. This enables the pharmacist to check for any drug incompatibilities or interactions that may exist. The pharmacist also makes sure each outpatient understands what the particular medication is for, how often it is to be taken and for how long, and informs them of any side effects they may experience while taking their medication.

Automatic re-stocking of drugs and IV's in the emergency room and the night medication cabinet (for use by the nurses and doctors after hours, containing medication that is pre-packaged) is cared for by the pharmacist. A Hispac automatic tablet counter was recently acquired by the pharmacy, enabling the pharmacist to spend less time counting, and more time for other aspects of the pharmacy operation. This acquisition enables the pharmacy to have a small stock of pre-packaged medications.

Field Health Services include pre-packaging medications as required by the registered nurse, who utilizes these at the Hays Clinic which is in operation each Tuesday and Thursday. The physician's assistant attends the Clinic on Thursdays. A small number of pre-packaged medications are also required by the dentist as he travels to Hays two days a week.

Both the Pharmacy Out-Patient Monitoring Program and the Pharmacy Over-the Counter Program are on-going and continue with great success.

WIC

This is a special supplemental food program for women, infants, and children; a federally funded (USDA) program designed to be part of an on-going health care program. WIC provides nutrition education and nutritious food supplements to women (pregnant, nursing, or six months post partum), infants, and children ages 1-5.

Studies reveal that there is a definite relationship between diet and the health and development of a young child. A child who does not have adequate nutrition before birth and during early childhood does not have the same chance for a full and healthy life as a properly nourished child.

MENTAL HEALTH

The purpose of the Billings Area Mental Health Program is to provide a broad range of individual and family services that address mental health problems of emotion, behavior, or thinking. The program is also concerned with mental health problems at the community level, and seeks to provide education and prevention services.

These services are provided by an interdisciplinary team of professional and para-professional care-givers who seek to respond sensitively to individual and community needs related to mental health. There are four professions from which mental health personnel are drawn:

Psychiatry
Psychology
Psychiatric social work
Psychiatric nursing

In fiscal year 1978 there were three full-time authorized positions at the Fort Belknap Service Unit: two mental health specialists and a social work assistant.

EMERGENCY ENERGY ASSISTANCE PROGRAM

Service: Administration for Native Americans
Address: P.O. Box 819
Fort Belknap Agency
Harlem, MT 59526
Telephone: 353-2205 Ext. 489
Location: A.N.A. Building
Purpose: To assist low income families with high energy costs to reduce hardship on them. Many pay high energy bills, resulting in a lack of funds for food and clothing or other household needs.
Eligibility: Families below or at the 125% poverty level guidelines. The head of the household should apply.
Specific Area: Fort Belknap Reservation. Havre — town residents.
Income: Proof of income for the past 90 days or 12 months.

COMMODITY FOOD AND NUTRITION PROGRAM

Service: Administration for Native Americans
Address: P.O. Box 819
Fort Belknap Agency
Harlem, MT 59526
Telephone: 353-2205 Ext. 488/489
Location: A.N.A. Building
Purpose: Commodity food and distribution to qualified members once a month. Food stamp outreach for the Fort Belknap Communities. Garden projects to qualified applicants for plowing and garden use.
Eligibility: These programs are for low income families.
Income: Monthly income rates:

HOUSEHOLD SIZE	INCOME LIST
1	$ 376.00
2	473.00
3	570.00
4	666.00
5	763..00
6	860.00
7	956.00
8	1,053.00
9	1,150.00
10	$1,247.00

Each additional member: + $97.00.

WEATHERIZATION

Service: Administration for Native Americans
Address: P.O. Box 819
Fort Belknap Agency
Harlem, MT 59526
Telephone: 353-2205 Ext. 486
Location: A.N.A. Building
Purpose: To increase thermal efficiency of the home.
Eligibility: Any low income resident of the Fort Belknap Reservation. Yearly income.
Income: Any low income resident of the Fort Belknap Reservation. Yearly income.

FAMILY SIZE	NON–FARM FAMILY	FARM FAMILY
1	$ 4,250.00	$ 3,638.00
2	5,625.00	4,800.00
3	7,000.00	5,963.00
4	8,275.00	7,125.00
5	9,750.00	8,288.00
6	11,125.00	9,450.00
7	12,500.00	
8	13,875.00	
9	15,250.00	
10	16,625.00	
11	18,000.00	
Each additional family member:	1,375.00	1,162.50

EMPLOYMENT

There are several different programs through which an attempt is made to supply Indians with training for jobs on the reservation. Here are some that are in existence as of 1981, but may be terminated in the future.

COMPREHENSIVE EMPLOYMENT TRAINING ACT, TITLE II-D (CETA)

Purpose: To provide public service employment and training opportunities for economically disadvantaged, unemployed, and under-employed. To assure training and other services which will lead to maximum employment opportunities and enhance self-sufficiency.
Eligibility: Indian or Native American; unemployed 15 or 20 weeks, public service assistance; Fort Belknap and surrounding areas.

COMPREHENSIVE EMPLOYMENT TRAINING ACT, TITLE III (CETA)

COMPREHENSIVE EMPLOYMENT TRAINING ACT, TITLE IV (CETA)

SUMMER YOUTH EMPLOYMENT PROJECT (SYEP)

Purpose: To provide work experience and employment for disadvantaged youth and develop career potential.
Eligibility: Indian or Native American youth ages 14-21

TRIBAL EMPLOYMENT RIGHTS OFFICE

Purpose: To enforce Indian preference
Eligibility: Indian or Native American; area-wide

YOUTH EMPLOYMENT TRAINING PROJECT (YETP)

Purpose: To enhance job prospects and career opportunities for disadvantaged youth, and to enable them to secure employment in public and/or private sectors of the economy.

Eligibility: Youth ages 14-21

YOUTH COMMUNITY CONSERVATION IMPROVEMENT PROGRAM (YCCIP)

Purpose: Emphasis on job creation for high school drop-outs, and to provide short-term employment while studying for GED. Disadvantaged youths.

Eligibility: Youth in school and youth who are unable to finish high school, ages 16-19. Poverty income guideline 85%.

There is also an employment committee which performs a dual role:

1. Enforces existing personnel policies and procedures; and
2. Selects tribal employment and hears grievances.

The Fort Belknap Tribal Council will have a personnel office and personnel staff to directly coordinate policies and procedures with the Employment Committee. The duties of the Employment Committee are:

1. To make the final selection on all para-professional jobs after obtaining recommendations from the personnel office. Professional employees will be selected by the Employment Committee and ratified by the Fort Belknap Community Council.
2. To make the final approval after obtaining recommendations from the administrative manager and personnel offices of all personnel actions involving promotion, re-assignments, and dismissals.
3. To review charges of employment discrimination and take appropriate action.
4. To serve as an appeals panel for employee grievances, and to serve the general public in tribal disputes and complaints.
5. To review personnel policies and staff organization, and to recommend changes to the council.
6. To review position qualifications based on ability to perform rather than from educational requirements and experiences, and to recommend changes in position descriptions, qualifications, and salary ranges.
7. To require a career development program for both professional and non-professional tribal employees.
8. To evaluate program directors and make recommendations to the Community Council for appropriate action. These personnel policies and procedures shall be applicable to all classes of tribal employees, as specified here.

HOUSING

SECTION 1. DEFINITIONS

For the purpose of this chapter, the foliowing words shall have the meaning set out below, unless otherwise stated:

A. "Authority" shall mean the Fort Belknap Indian Housing Authority of the Fort Belknap Community.

B. "Renter" shall be any person renting any type of public housing, including all housing rented by the authority on a month-to-month basis.

C. "Participant" shall mean any person purchasing a mutual-help home through a public housing program.

D. "Rent" shall be that amount which a renter pays each month for a rented house under a public housing program.

E. "Contribution" shall be that amount of money paid each month under a mutual help and occupancy agreement by a participant.

F. "Public Housing" shall be any housing on the Fort Belknap Reservation that is obtained under any type of federal housing program through the Department of Housing and Urban Development, and which is classified as public housing of a public housing program.

SECTION 2. RENT AND CONTRIBUTION DUE

All rent and contribution is due on or before the seventh (7th) day of each month, on a month-to-month basis.

SECTION 3. WHEN RENT OR CONTRIBUTION IS DELINQUENT

All rent and contribution shall be considered delinquent if not paid on or before the seventh (7th) day of the applicable month when due.

SECTION 4. FIRST DELINQUENCY WITHIN A ONE-YEAR PERIOD

The first time a renter or participant is delinquent with the rent or contribution, beginning from the date of the approval of this ordinance by the Fort Belknap Community Council, a "NOTICE OF DELINQUENCY" shall be sent to the renter or participant by the Fort Belknap Housing Authority in charge of administering public housing on the Fort Belknap Reservation. This notice shall be sent by registered mail, and shall state that the renter or participant is delinquent in rent or contribution for the named month. The notice shall give the renter or participant seven (7) days to either pay the delinquent rent or contribution or to get an extension the payment of the rent or contribution.

The notice shall also state that, in addition to the payment of the delinquent rent or contribution, the renter or participant shall pay a delinquent penalty to the Authority of $5.00, unless such penalty is waived in writing by an authorized representative of the Authority upon showing that the renter or participant has a valid excuse for not paying the rent or contribution on time. The notice shall further state that in the event the delinquent rent or contribution is not paid within this time, the Authority shall proceed to either collect this rent or start eviction proceedings against the renter or participant through the Fort Belknap Tribal Court. The Authority shall accept the delinquent rent, together with the $5.00 penalty, if it is shown to its satisfaction that such delinquency was unavoidable. This waiver must be in writing, and must state the reasons for the waiver, and be signed by the representative of the Authority accepting.

If the delinquency is not paid within the time period stated above, the Authority shall then start collection or eviction proceedings in the Fort Belknap Tribal Court. The Authority can accept the delinquent rent or contribution any time before the case comes before the court for hearing.

The Complaint or Eviction Petition served upon the renter or participant shall state:

1. The amount of the delinquency,
2. The length of time of the delinquency,
3. The date of the notice of delinquency sent to the renter or participant, and
4. The amount owing to the Authority

It shall also include a notice to the renter or participant that, in the event such delinquency is paid before a hearing upon the complaint or petition, a $20.00 penalty will also be imposed. In the event the Authority accepts the late rent or contribution before the hearing on the complaint or petition, the $20.00 penalty must also be paid. This penalty cannot be waived, unless the renter or participant proves to the satisfaction of the Authority that he or she did not receive the Notice of Delinquency. This $20.00 penalty shall be divided between the Authority and the Fort Belknap Tribal Court, with $10.00 going to each.

The Authority shall collect the rent or contribution and the penalty, and shall turn one-half of the penalty over to the Tribal Court, getting a receipt for the same. Upon accepting the delinquent rent or contribution and penalty, the Authority shall immediately notify the Court to dismiss the complaint or petition against the renter or participant.

The Court shall never accept payment of either the rent or contribution or the penalty directly from the renter or participant. The Authority shall not accept payment of delinquent rent or contribution and penalty after the hearing has been held, but shall comply with the findings of the Court at the hearing.

SECTION 5. SECOND DELINQUENCY WITHIN A ONE-YEAR PERIOD

The second time a renter or participant is delinquent with rent or contribution within a one-year period beginning from the date of the approval of the Ordinance by the Fort Belknap Community Council, the same procedure shall be followed as set out in SECTION 4 above, with the exception that the delinquency notice shall be entitled "DELINQUENCY NOTICE 2," and the penalty shall be raised to $10.00 instead of $5.00, and $30.00 instead of $20.00 if court proceedings are started.

The only other exception to the procedures laid out in Section 4 above is that when and if the renter or participant pays the delinquent rent or contribution, either within the seven (7) day notice period or before the hearing set on a complaint or eviction, the Authority shall issue a summons to the renter or participant, ordering him or her to appear before the Authority Board at a time and date set on the summons. Failure of the renter or participant to attend this hearing shall result in the delinquent rent or contribution being returned, together with the penalty, to the renter or participant, and the court proceedings being reinstated.

This fact shall appear upon the summons to give the renter or participant notice of what will happen if the summons is not obeyed. At the time and place set in the summons, the Authority shall ask the renter or participant the reasons for the delinquent rent or contribution, and shall notify the renter or participant that, in the event there is another unexcused delinquency within the year as stated in this Section, the Authority shall not accept late payment, and shall proceed with court action. The renter or participant shall also be informed at this time that, in the event eviction proceedings are instituted and granted against the renter or participant, he or she shall not be eligible for any type of public housing assistance for two years after the date of the order of eviction by the Tribal Court.

SECTION 6. THIRD DELINQUENCY WITHIN A ONE-YEAR PERIOD

The third time a renter or participant is delinquent with rent or contribution within a one-year period, beginning from the date of the approval of the ordinance by the Fort Belknap Community Council, a Notice of Delinquency shall be sent in conformance with Section 4 above, except that the delinquency notice shall be entitled "DELINQUENCY NOTICE 3," and shall carry a $15.00 penalty if rent is paid within the time stated in the notice.

In the event such rent or contribution is not paid within the time stated in the notice, eviction proceedings shall be started in the Fort Belknap Tribal Court. No rent or contribution shall be accepted by the Authority once such proceedings are started in the Tribal Court. The Authority shall then be bound by the decision of the Court.

SECTION 7. PROCEDURES BEFORE THE FORT BELKNAP TRIBAL COURT

The Authority may at its option choose to file an eviction petition in the Fort Belknap Tribal Court for a delinquency as defined above in Section 3. The Authority shall file a petition asking that the renter or participant be evicted from the described house, whether such house is a rental or a mutual-help house.

The petition shall include the amount of delinquency, the number of delinquencies within the one-year period as set out above, the date the notice of delinquency was sent and its number, the time of delinquency, and a request that such person be evicted from the described house.

The Court shall then issue a Show Cause Order, and a copy of the petition shall be served on the renter or participant. The order to show cause must set a hearing date of not less than five (5) days from the date of service upon the participant or renter; but in any event, such hearing date shall not be more than twenty (20) days from the date of such service.

At the hearing, the Court shall listen to the petitioner and the renter or participant, and then decide whether or not such eviction shall be ordered. In the event that the renter or participant does not appear at the hearing, the eviction may be ordered by default. The Authority shall always be present at the hearing, and shall be notified of the hearing date and time by the Tribal Court.

SECTION 8. EVICTION ORDER

In the event the Tribal Court orders an eviction of a renter or participant, the Court shall have such order served upon the person within twenty-four (24) hours after such order. The renter or participant shall then have seventy-two (72) hours to remove his or her belongings from the home in question. At the end of this time, a commissioned officer of the Fort Belknap Law and Order Department shall lock up the house, and place the Eviction Order in plain view on the outside of the house. In the event the renter or participant breaks back in to the house without permission of the Authority or the Court, he or she will be subject to a criminal penalty under Section 35, Chapter 5 of the Fort Belknap Tribal Law and Order Code of 1971, as revised, entitled "DISOBEDIENCE TO A LAWFUL ORDER OF THE COURT."

Once a house is vacated under an order of eviction, it may be re-rented or re-sold to another renter or participant. In the event a renter or participant is evicted from a mutual home, the Authority will consider the Mutual Help and Occupancy agreement breached.

SECTION 9. EXCUSE FOR DELINQUENCY

In the event a renter or participant has a valid excuse for a delinquency, he or she shall state this reason to the Authority. The Authority in its discretion may agree with such valid excuse, and extend a waiver to the renter or participant on the time limit for the rent or contribution to be paid. This waiver shall always be in writing, giving the reasons for the extension, the time of the extension, and shall be signed by an authorized representative of the Authority. In the event such a waiver is given, the delinuency shall not be considered as a delinquency for the purpose of Sections 4, 5, and 6 above.

SECTION 10. EVICTION STOPS FURTHER PUBLIC HOUSING ASSISTANCE

Once a person has been evicted from any type of public housing, including low rent and mutual-help housing, such person shall not be eligible for any type of public housing assistance for at least two (2) years from the date of the eviction.

SECTION 11. SECURITY DEPOSIT, DAMAGES TO HOUSES, OTHER DAMAGE

A. Security deposit:

In the event a security deposit is required before a person can occupy a public housing project house, such deposit shall be paid under the terms and conditions stated in the rental or occupancy agreement. In the event such deposit is not paid, it shall be treated the same as a delinquency, and the procedures set out in Section 4 above shall apply, with the exception of the late penalty. Thus, if such security deposit is delinquent, a delinquency notice shall be sent, and if such deposit is not paid within the time set out in the delinquency notice, proceedings will be started in the Tribal Court to either collect this deposit or to evict the renter or participant.

B. Damages caused to home:

In the event an inspector finds damage in either a rented house or a mutual help house that is deliberately caused or could have been avoided with care taken by the renter or participant, the renter or participant shall be sent a bill for such damages. The renter or participant then has fifteen (15) days from the date of the billing to come before the Authority to explain the damages. The Authority shall state that the person has the right to come before the Authority for a hearing, and such notice shall be included on the billings sent for the damages.

The hearing shall be final, and at the hearing the Authority may find that there are not damages, that the damages are not the fault of the renter or participant, find a lesser amount of damages, or find that the damages are the same as in the billing.

The renter or participant shall then have thirty (30) days to pay for the damages if they are found to be the fault of the renter or participant. In the event such damages are not paid after such a hearing, or if there is no hearing requested and the damages are not paid within the fifteen (15) day time period, the Authority shall proceed in the same manner to collect the damages or evict the renter or participant as if such damages were delinquent rent or contribution.

C. Other damages:

The procedure to be followed for the assessment of any other damages or penalties or costs to the Authority from a violation of the mutual-help occupancy agreement or rental agreement shall be in the same manner as set out in Section 11 B above. This includes any towing charges assessed against a renter or participant for the hauling away of "junk" cars or other debris around the premises of said home.

SECTION 12. DISTURBANCES

In the event that a tenant conducts or permits loud parties or noisy activities in his or her dwelling, or in any manner creates any disturbances which would cause annoyance or discomfort to other tenants or to the community, the Fort Belknap Law and Order Department will send a written statement of such complaints to the Authority. After receipt of three (3) such complaints on a renter or participant made by three separate parties, the Authority will proceed with eviction proceedings through the Tribal Court.

AN INTRODUCTION TO YOUR INDIAN HOUSING AUTHORITY

CONTENTS:

This introduction to your Housing Authority is designed to briefly outline some of the key items of your Authority's housing programs. If you have any additional questions, please refer to the specific program guidelines prepared by the Authority, or contact them directly.

TOPIC	PAGE
Types of Programs	2
Basic Legal Agreements	3
Tenant Responsibilities	3
Authority Responsibilities	4
How Rents Are Determined	5
How Housing Payments Are Determined	6
Equity Build-up and Pay-off of Mutual Help Homes	7
Key Advantages of the Mutual Help Homes	8
Key Advantages of the Rental Program	9
Methods of Construction	10

This introduction material was prepared in January, 1978 through the HUD-funded Management Initiatives for Indian Housing program (MIFIH). It was developed by James F. Wagenlander, Attorney/Consultant, 820 16th Street in Denver, Colorado, and by Quadel Consulting, Inc. of Bethesda, Maryland.

* Copied from *"An Introduction To Your Indian Housing Authority."*

DIFFERENT HOUSING PROGRAMS THAT MAY BE AVAILABLE THROUGH THE HOUSING AUTHORITY

1. Rental
2. Mutual Help Homeownership
3. Turnkey III Homeownership
4. Section 8 (Privately financed housing)
5. Community Development (Housing rehabilitation)

There are four basic legal agreements in the housing programs:

1. A tribal ordinance is passed by the Tribal Council to establish a housing authority to run the programs.
2. The authority contracts with HUD (U.S. Department of Housing and Urban Development) to obtain the money needed to build the units and to establish the rules (this is known as an Annual Construction Contract or ACC).
3. A Conventional Construction Contract or a Turnkey Contract of Sale is signed between the Authority and a builder to construct the units in a project.
4. A rental lease, Mutual Help Occupancy Agreement, or a Turnkey III Homebuyer Agreement is signed by the participant and the Authority, establishing rights and obligations.

BASIC TENANT AND AUTHORITY RESPONSIBILITIES

Basic tenant responsibilities:

1. Pay rent or housing payments on time every month
2. Report income and changes in income
3. Keep up the house and pay for repairs of damage caused by the tenant
4. Abide by the rules established by the Authority and HUD
5. Cooperate during inspections of the house
6. In addition, if a mutual help participant:
   a. Pay for utilities
   b. Make all repairs and maintenance
   c. Help pay off some of the construction costs
   d. Make an initial contribution

Authority responsibilities:

1. Provide decent and safe housing
2. Collect rent and housing payments
3. Enforce HUD rules
4. Pay for utilities and maintenance of rental units.

RENTAL PAYMENT CALCULATION EXAMPLE:

Yearly gross family income		$5,000
Head of household	$4,000	
Others' income	1,000	
(Student income)		
(Occasional income)		
Deductions (to be subtracted from income)		$1,750
Standard (5% of gross)		
10% if elderly	$250	
Spouse's income (up to $300)	$300	
Children ($300 each)	$600	
Babysitting required for working parents	$200	
Business expenses	$400	
Other	$-0-	
Adjusted income		$3,250
(Minus utilities paid by tenant)		
Yearly rent (25% of adjusted income)		$ 812
Monthly rent (yearly rent divided by 12)		$ 67

(A maximum payment may have been set by the Authority which cannot be exceeded.)

EQUITY BUILD-UP AND PAY-OFF OF MUTUAL HELP HOME:

1. That portion of the monthly payment due the Authority known as the administrative charge is used to pay for the management of the unit (for example, insurance or personal costs).
2. Any additional money left over in the required payment (after taking out the administration charge) is used to help pay off the cost of the house. This is called an equity payment.

At the time that the participant is making payments, the government payments will, without any contribution by the participant, pay off the purchase price of the house in 25 years. If the participant, however, is making equity payments, then these funds are added to the government's payment, and this will result in the purchase price being paid off sooner than the 25 years. Once the purchase price is paid off, then the participant takes ownership of the house and leaves the program.

NOTE: In some cases, a participant may be able to get his equity payments refunded, should he leave the program before the purchase price has been paid off. This is done by selling his interest to another party, or in some cases by selling his interest back to the Authority.

KEY ADVANTAGES TO THE MUTUAL HELP PROGRAM:

1. No fixed payments. Participants pay according to their income. If income should change, the payments will generally change.
2. The government will pay all the interest. Interest charged for borrowing the money to build the house will be paid entirely by the government. Often this amounts to more than the actual price of the home.
3. The government helps pay off the purchase price. In most cases, the government will pay for the vast majority of the cost of the house.
4. Home ownership. If a participant makes his required payments and abides by the Authority rules, he or she will, within at least 25 years, become owner of the house.

NOTE: The Mutual Help Homeownership Program is a good program. However, it generally should not be used for very low income people. The reason for this is that, unlike the tenants in the rental program, the participants in this program have to pay a minimum administrative charge, no matter what their income is, as well as do their own maintenance, repairs, and pay their own utilities.

MUTUAL HELP PAYMENT CALCULATION EXAMPLE:

Yearly gross family income		$7,000
Head of household	$6,000	
Others' income	$1,000	
(Student income)		
(Occasional income)		
Deductions (to be subtracted from income)		$2,700
Standard (5% of gross)		
10% if elderly	$ 350	
Spouse's income (up to $300)	300	
Children ($300 each)	1,800	
Babysitting required for working parents	-0-	
Business expenses	250	
Other	-0-	
Adjusted income		$4,300
(Minus utilities if paid by tenant)		
Yearly payment (25% of adjusted income)		1,075
Base monthly charge		90
(Yearly payment divided by 12)		
Minus utility credit		— 60
Required payment due the Authority		$ 30

(A minimum monthly administrative charge is required. This means a participant pays that charge or the above required due figure, whichever is larger. The Authority may have also set a maximum payment figure which cannot be exceeded.

KEY ADVANTAGES TO THE RENTAL PROGRAM:

1. No fixed payments. Tenants pay according to their income. If income should change, the payments will generally changes.
2. The government pays along with the tenants. The government will subsidize the tenant's payments, and pay for the construction of the units.
3. No home ownership. For the first 40 years of the project, the units will be owned by the Authority, and tenants will not have ownership responsibilities.
4. No utility payments or maintenance required of tenants. The Authority will pay for the utility payments and the repair of items not damaged by the tenants. Unlike the Mutual Help Program, the tenant is not burdened with these payments, nor are very low income people required to make a minimum administrative payment.

TWO METHODS OF CONSTRUCTION AVAILABLE TO THE HOUSING AUTHORITY:

Conventional Method

1. Authority's arthitect designs the project.
2. Authority contracts with builder to construct the project.
3. Payments are to be made to the builder during construction.
4. Generally, a contractor provides a bond, and some money is held back (retention) to insure proper completion.

Turnkey Method

1. Developer designs the project.
2. Authority contracts with a developer (contract of sale) to build the project.
3. Authority accepts and pays for the units only when they are properly completed.
4. Inspector can be hired to watch the construction.

FORT BELKNAP HOUSING AUTHORITY
Harlem, Montana 59526

RENT CALCULATION FORM

NAME: _____
DATE OF CALCULATION: _____
COMPLETED BY:
PROJECT: _____
THIS RENT EFFECTIVE AS OF: _____

1. INCOME (EARNED & UNEARNED):
   - A. Primary income of family head $_____
   - B. Secondary income of rest of family $_____
   - C. Total family income (gross income) A + B $_____
   - D.
2. DEDUCTIONS:
   - D. 5% deductions allowance (10% for elderly) $_____
   - E. $300.00 for spouse with secondary earned income $_____
   - F. $300.00 for each family member under 18, or 18 and over that are handicapped, disabled, or full-time students (except head or spouse): No. _____ $_____
   - G. Income for foster care of children $_____
   - H. Payment for child care, or care of children $_____
   - I. Unusual occupational expenses not paid by employer $_____
   - J. Total deductions (add D through I) $_____
3. MONTHLY RENT:
   - K. Adjusted family (subtract J from C) $_____
   - L. Adjust monthly income (divide K by 12) $_____
   - M. 20 or 25% of adjusted monthly income (.20 or .25 × L) (gross pay) $_____
   - N. Utilities allowance (if applicable) $_____
   - O. Monthly rent (subtract N from M) (contract rent) $_____

( )1 Bdrm. ( )2 Bdrm. ( )3 Bdrm. ( )4 Bdrm. ( )5 Bdrm.

LOCATION: _____
SOURCE OF INCOME: _____ 123

MAPS
QUESTIONS & ANSWERS
PICTURES

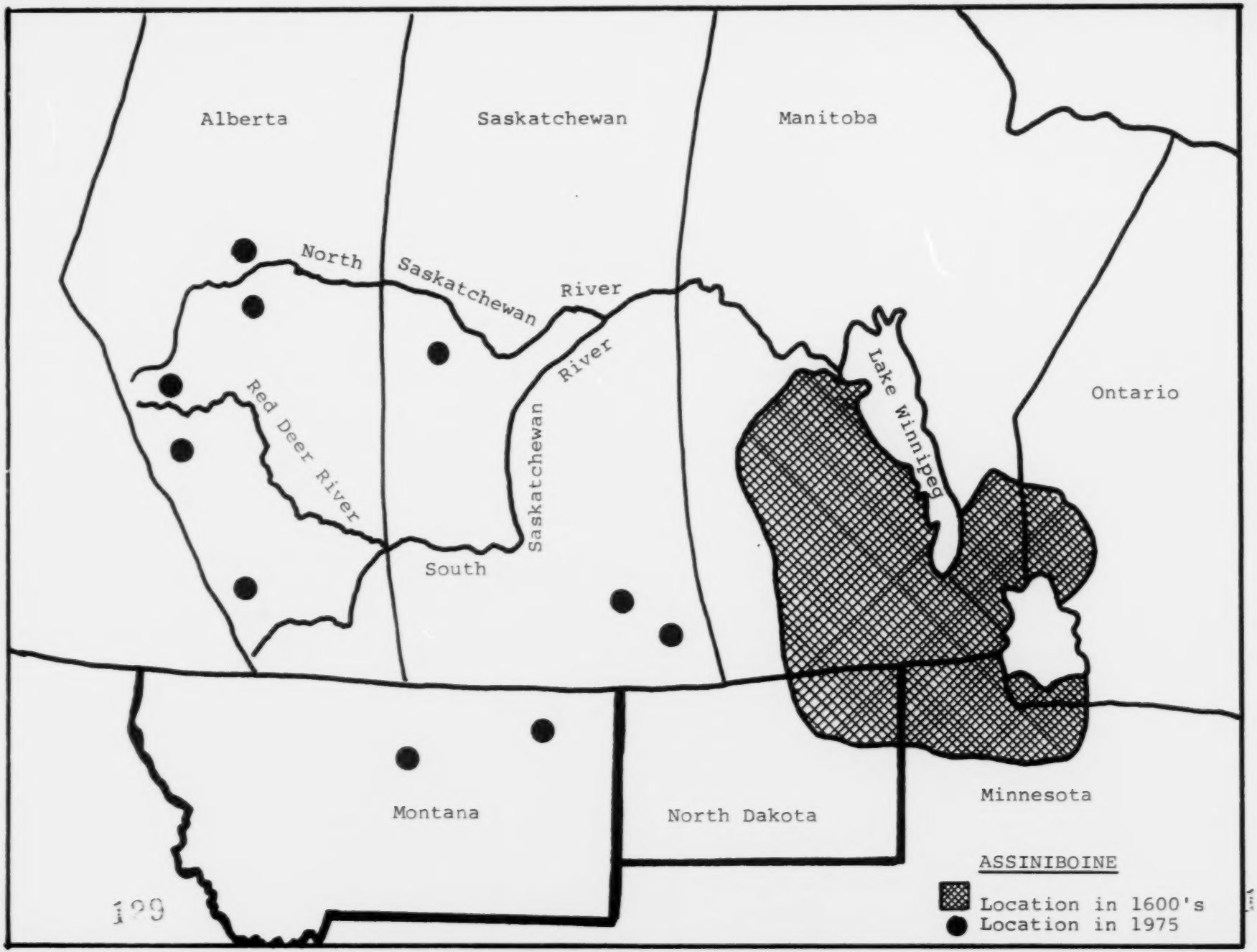
APPROXIMATE LOCATION OF NATIVE TRIBES IN THE 16th CENTURY

125

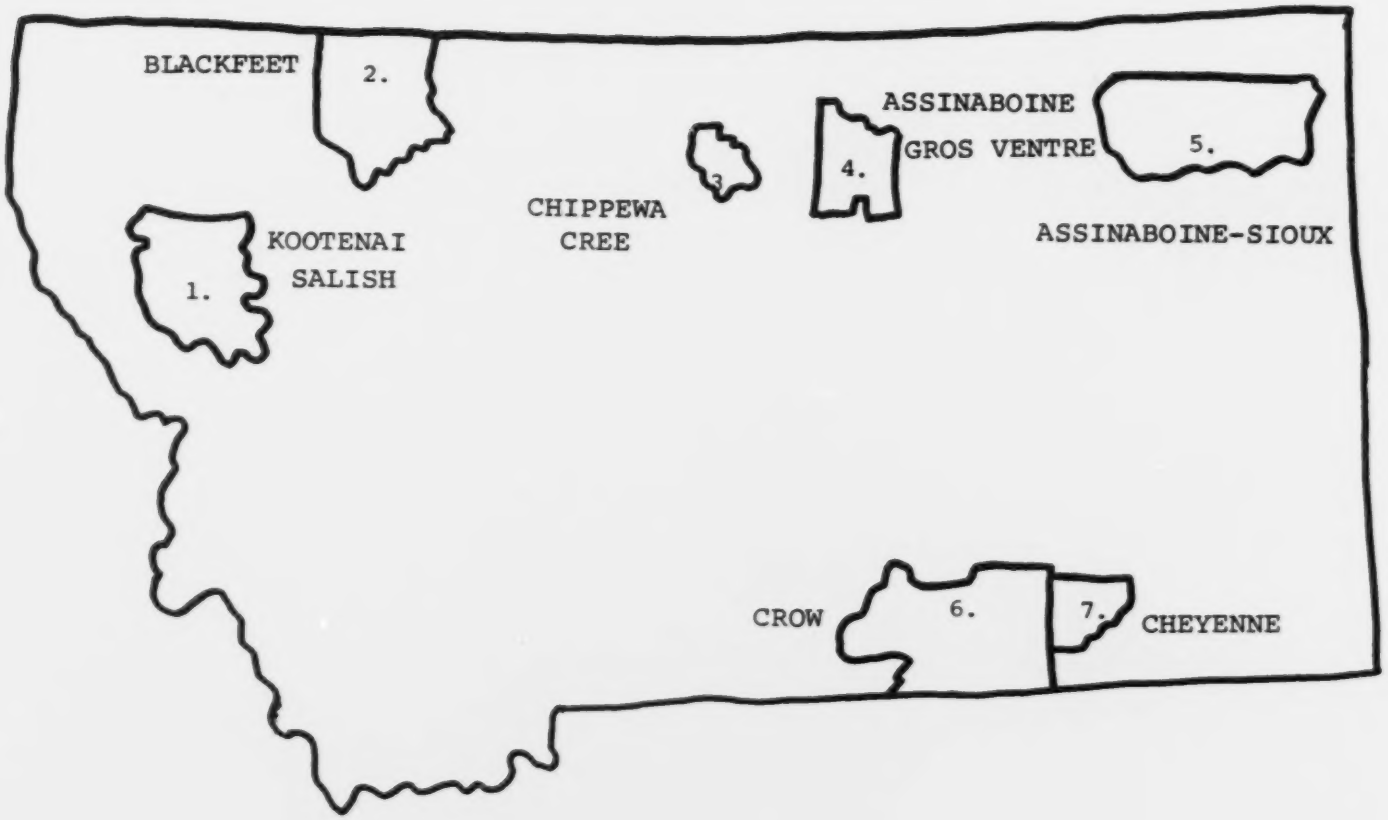
126

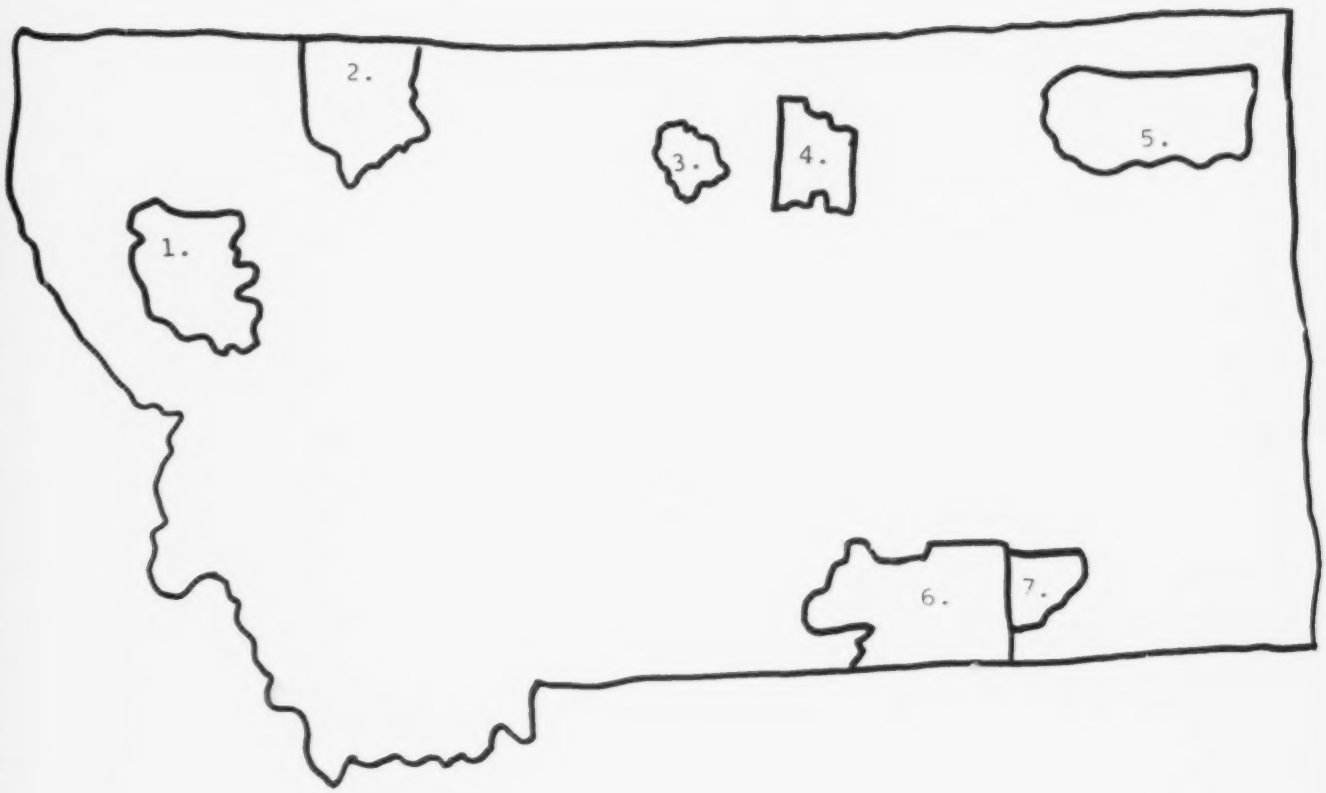
AREAS OF INDIAN CULTURE in the United States. The main tribes are shown in their present location.

MAP: *U.S. Department of the Interior Arts and Crafts Board*


Alberta
Saskatchewan
Manitoba
Ontario
North Saskatchewan River
Red Deer River
South Saskatchewan River
Lake Winnipeg
Montana
North Dakota
Minnesota
ASSINIBOINE
Location in 1600's
Location in 1975

INDIAN TRIBES
IN MONTANA

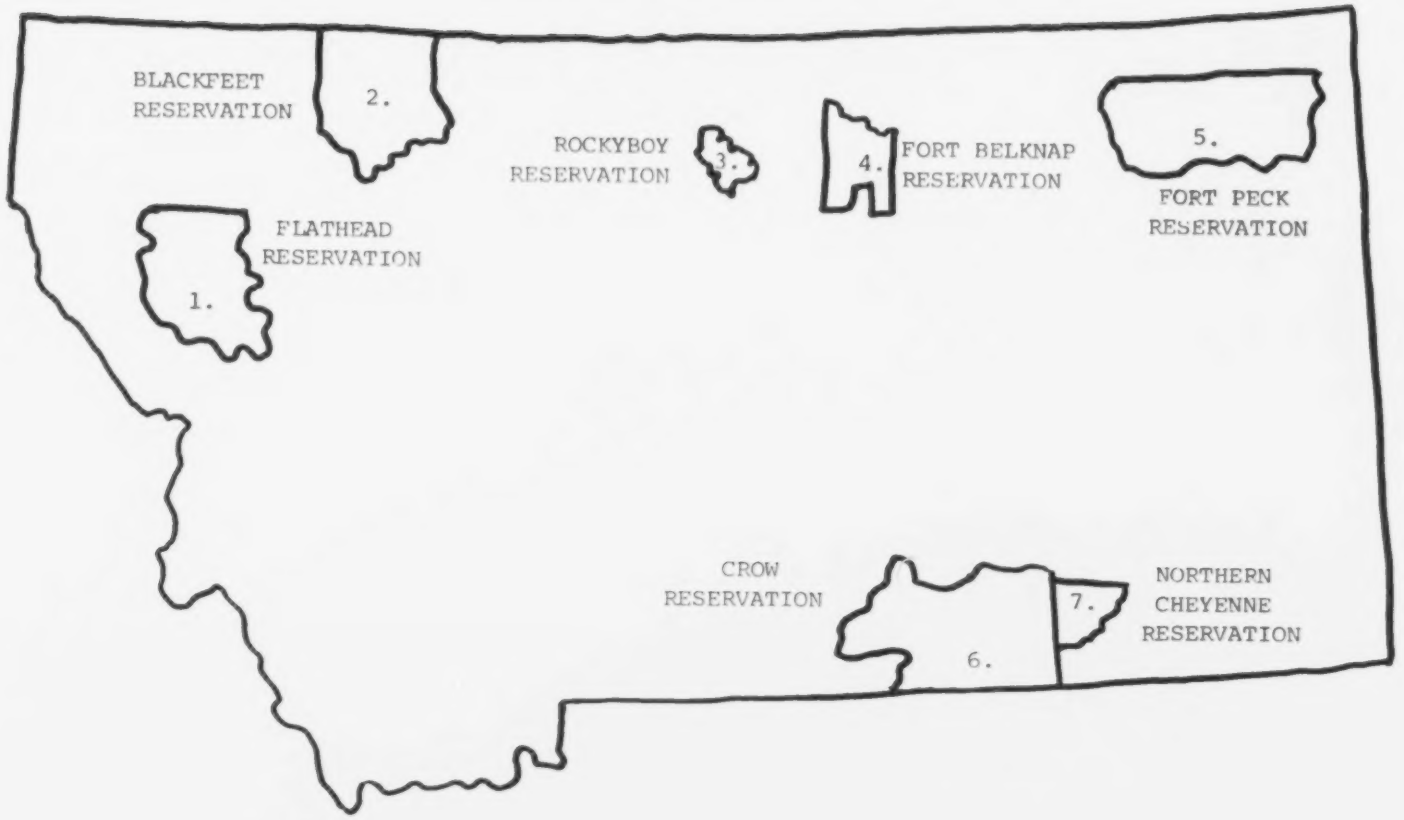


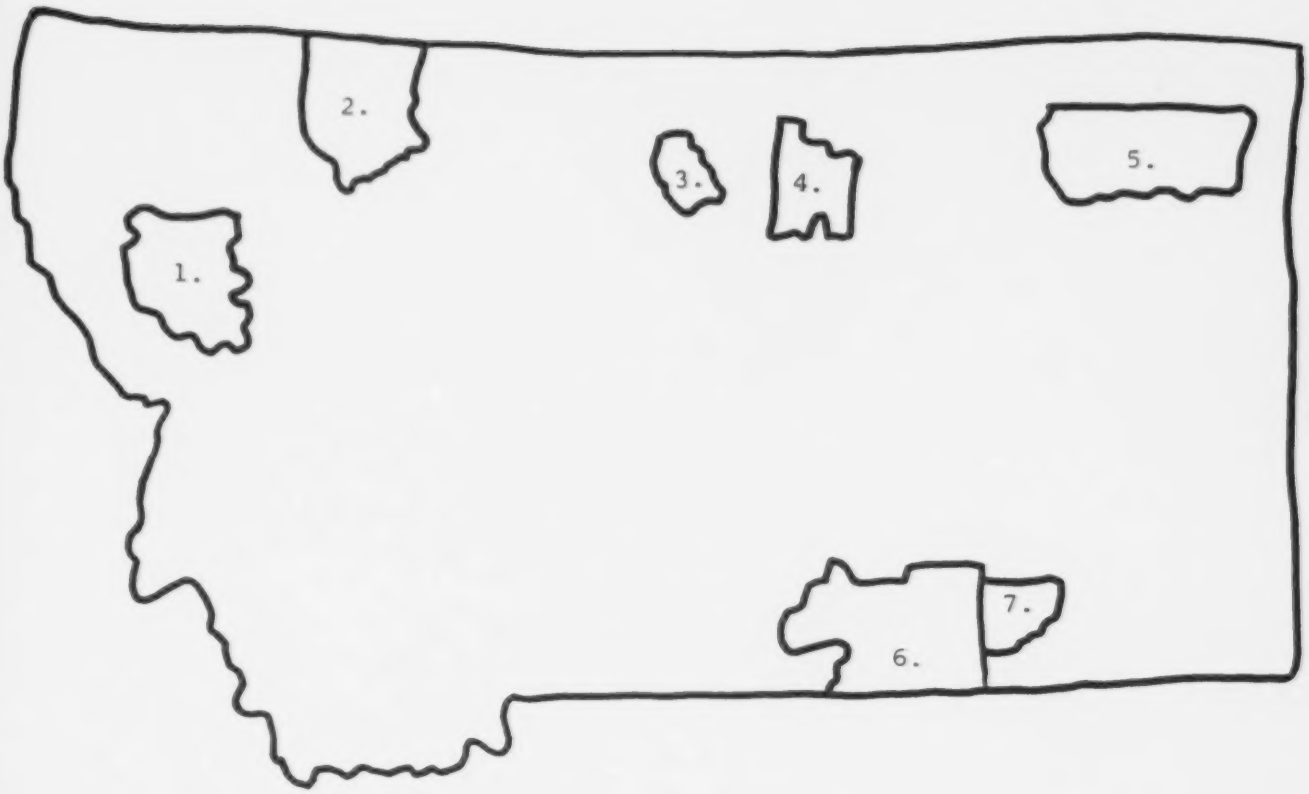


NAME THE INDIAN TRIBES IN MONTANA

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____
7. _____

INDIAN RESERVATIONS
IN MONTANA





NAME THE INDIAN RESERVATIONS IN MONTANA

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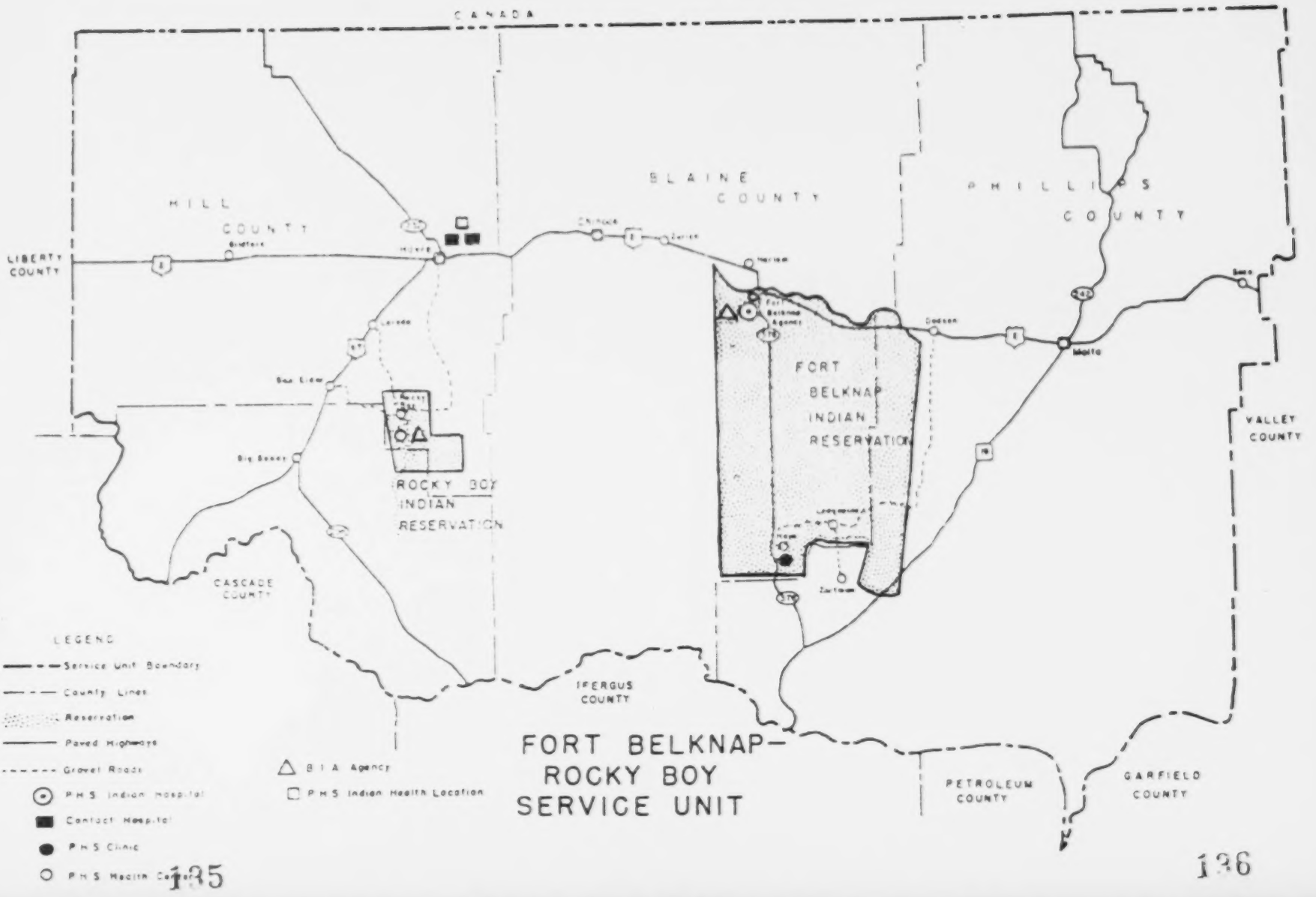

FORT BELKNAP–
ROCKY BOY
SERVICE UNIT

HISTORY OF THE GROS VENTRE

QUESTIONS:

1. What do the Gros Ventre call themselves?

2. What is the Blackfeet name for the Gros Ventre?

3. What other tribe was the Gros Ventre closely affiliated with?

4. In 1868 the United States government established a trading post on the Milk River. What was this post called?

5. This trading post was abandoned:
   (a) In what year?
   (b) For what reason?

6. This fort was discontinued:
   (a) When?
   (b) For what reason?

7. In 1878 an agency was re-established. What was this agency?

8. At this site in 1888, a reservation was formed. What was this reservation called?

MATERIAL CULTURE OF THE GROS VENTRE

9. What were the cultural traits affiliated with the other Plains Indian tribes of Montana?
   (a)
   (b)
   (c)
   (d)
   (e)

SOCIAL ORGANIZATION OF THE GROS VENTRE

10. The Gros Ventre were divided:
    (a) Into how many bands?
    (b) What were their names?

11. The Gros Ventre people were firm believers in what concerns of their social life?

12. In what year was there a change in the custom of polygamy and child brides?

13. At what age were young men considered ready for marriage?
    Why?

SACRED PIPES OF THE GROS VENTRE

14. What was the significance of the Flat Pipe to the Gros Ventre people?

15. What was the significance of the Feathered Pipe to the Gros Ventre people

16. Who were the Keepers?

17. What was the fulfillment of the Flat Pipe, and its biggest and most elaborate rite?

18. When is the Flat Pipe smoked?

19. What are the terms in the keeping of the Feathered Pipe?

20. Were there women Keepers?

21. What are the most sacred and revered possessions of the Gros Ventre tribe?

DEFINE WORDS

1. Affiliated tribe
2. Trading post
3. Ration
4. Annuity
5. Cultural
6. Hereditary
7. Keepers
8. At sina
9. Social organization
10. Polygamy
11. Proficiency
12. Ceremonial life
13. Sacred Pipe
14. Significance
15. Traditional
16. Possession
17. A 'aninin

QUESTIONS

HISTORY

TREATIES – 1851

1. What was the treaty originally known as?
2. Where were the boundaries for the hunting grounds of the Gros Ventre?
3. Where were the boundaries for the Assiniboine?

TREATIES – 1855

1. What type of peace was called for, and with whom?
2. What was the length of time mentioned in the treaty?
3. What are the boundaries for the hunting grounds in the treaty?
4. What type of annuities were awarded?

TREATIES – 1874

1. What were the new boundaries described in this new treaty?
2. Under what name do we now know the mission on the Fort Belknap Reservation?

TREATIES – 1896

1. What was discovered on the Reservation in 1894 which caused part of its land to be taken away?
2. How much of the Little Rockies were lost?

AGENCY POSTS

1. What was the name of the first post in the area, and where was it located?
2. In what year was the original Fort Belknap established?
3. Where were the Assiniboine and the Gros Ventre told to go after Fort Belknap was closed?
4. In what year was the Agency re-established, and in what year was the Reservation established?

DAWES ACT

1. What was the main issue of this Act?
2. In 1901, Lone Wolf tested the legality of the Dawes Act and lost. What was the decision of the court?

PUBLIC LAW 280 – TERMINATION ACT

1. What was the purpose of the Termination Act?
2. Was it successful?
3. Under Public Law 280, who was to have jurisdiction over Indian lands?
4. Which states took advantage of this?
5. Can states tax property on a reservation?

QUESTIONS

INDIAN CIVIL RIGHTS ACT

1. In Number 1, what was the main omission from the First Amendment?

2. What portions of the Fifth Amendment were made applicable to the Indians?

3. Does an Indian have the right to an impartial trial on the reservation?

4. What are the limits for penalties given out by tribal courts?

5. What is the difference between Number 10, the right to a jury trial for imprisonment, and the Seventh Amendment?

SELF-DETERMINATION ACT

1. What government officials are allowed to make contracts with the Indian tribes?

2. Are persons who work for tribal organizations eligible for U.S. government benefits?

3. Do Indian organizations have to report annuallly on their expenditures?

4. Did this Act affect tribal sovereignty or existing trust responsibilities?

ANSWERS

HISTORY OF THE GROS VENTRE

1. A 'aninin, or the White Clay People.

2. At sina, or Big Belly.

3. The Arapaho.

4. Fort Browning.

5. (a) 1871.
   (b) It was built on the hunting grounds of the Sioux.

6. (a) 1876.
   (b) It was burned by the enemy Sioux.

7. Fort Belknap Agency.

8. Fort Belknap Reservation.

9. (a) Main source of food, such as buffalo.
   (b) Materials: skins for clothing, housing, and storing supplies.
   (c) Decoration of clothing and housing; same design used in quill work, etc.
   (d) Cleaning of buckskin with white clay.
   (e) Use of the lodge pole pine for tipi poles.

SOCIAL ORGANIZATION OF THE GROS VENTRE

10. (a) Twelve.
    (b) Coffees
    Fast Travelers
    Upper Quarters
    Tendons
    Night Hawks
    Greys
    Water Horses Once a Day
    Buffalo Overloaded
    Bloods
    Tendouas Assiniboine
    Plenty Bads
    Frozen

11. Polygamy and child brides.

12. 1980.

13. 20 years old.
    A young man should have attained proficiency in hunting and ceremonial life.

14. The Pipe Bundle was opened and the Pipe smoked only in extreme emergencies.

15. They are the same as the Flat Pipe.

16. They were originally handed down by heredity; but the tradition became lost and the Keepers were chosen by special ceremonial rites.

17. The smoking of the Pipe, such as in imminent danger of death from enemy attack, illness, or drowning.

18. Only in extreme emergencies, as with the Feathered Pipe.

19. They are the same as the Flat Pipe.

20. Yes, two Pipe Women, or Co-Keepers, who are wives of the Keeper. These Pipes also have a Pipe Child, usually the Keeper's daughter or a given child (or a boy, if there were no daughters).

21. The Flat Pipe and the Feathered Pipe.

ANSWERS

HISTORY

TREATIES – 1851

1. The Fort Laramie Treaty.

2. From the mouth of the Musselshell River to the source of the Missouri River the the headwaters of the northern source of the Yellowstone River to the mouth of Twenty-Five Yard Creek to the headwaters of the Musselshell River.

3. From the mouth of the Yellowstone River to the mouth of the Musselshell River to the headwaters of Big Dry Creek to the Yellowstone River opposite the mouth of the Powder River.

TREATIES – 1855

1. Perpetual peace between the U.S. and the various tribes who signed, and for peaceful relations between the tribes themselves.

2. 99 years.

3. From Hell Gate Pass to the Musselshell River to the mouth of Twenty-Five Yard Creek to the northern source of the Yellowstone River, then along the main range of the Rocky Mountains to Hell Gate Pass.

4. $20,000 annually for ten years in goods, and $15,000 annually to establish agriculture and education for the Indians and their children.

TREATIES – 1874

1. From the 49th parallel and the 104th meridian of west longitude to the south bank of the Missouri River to a point opposite the mouth of Marias River to the source of Birch Creek to the summit of the Little Rocky Mountains, along them to the northern boundary of Montana, then back to the point of beginning.

2. The area between the Musselshell and the Missouri Rivers.

TREATIES – 1888

1. It created the Fort Belknap Reservation.

2. St. Paul's Mission.

TREATIES – 1896

1. Gold.

2. About two-thirds.

AGENCY POSTS

1. Fort Browning; near the mouth of Peoples Creek on the Milk River.

2. 1871.

3. The Assiniboine were to go to Wolf Point and the Gros Ventre to Fort Peck.

4. 1878 and 1888.

DAWES ACT

1. All tribal land was to be allotted to the Indians in 160-acre plots.

2. Reservation land was federal land, and therefore subject to federal laws.

PUBLIC LAW 280 – TERMINATION ACT

1. To let the Indian tribes who were self-sufficient be totally free of of the United States government.

2. The few tribes who were terminated rapidly lost their prosperity.

3. The state government.

4. California, Oregon, Nebraska, and Minnesota.

5. No.

INDIAN CIVIL RIGHTS ACT

1. The prohibition of establishment of religions.

2. Double jeopardy, the privilege against self-discrimination, and immunity from tribal appropriation without just compensatoin.

3. No.

4. No more than 6 months, and fines of no more than $500.00.

5. The Seventh Amendment states, "a right to jury in all criminal prosecutions."

SELF-DETERMINATION ACT

1. The Secretary of the Interior and the Secretary of Health, Education, and Welfare.

2. Yes.

3. Yes.

4. No.

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THE ASSINIBOINE TRIBE

DEFINE THESE WORDS:

1. Stoney
2. Compounds
3. Ceremonies
4. Visions
5. Sweet grass
6. Chastity
7. Century
8. Policy
9. Allotted
10. Customs
11. Dialect
12. Sun dance
13. Creator
14. Society
15. Pictographic
16. Confederacy
17. Inter-tribal
18. Assimilation
19. Repress
20. Reserve

QUESTIONS

1. What was the Chippewa name for the Assiniboine?

2. What did the people of the northern Great Plains of North America call themselves?

3. What are the Assiniboines in Canada named?

4. Of what tribal subdivision is the Assiniboine language?

5. What special way of slaughtering buffalo did the Assiniboine use in 1750?

6. To what aspects of religious life did the Assiniboine attach great importance?

7. The religion of the Assiniboine includes belief in what great power?

8. What was one of the Assiniboine tribe's great religious dances?

9. (a) When was this dance prohibited?
   (b) Why
   (c) By whom?
   (d) When was this ban removed?

10. This dance become extinct:
    (a) When?
    (b) Why?
    (c) Do the Assiniboine still participate in this dance?
    (d) Where?

11. What societies controlled the large encampments?

12. The Assiniboine have a distinctive style of decorative and pictographic art. What are these designs?

13. What are some of the decorative arts the Assiniboine displayed?

14. ?

15. The Assiniboine joined what tribes as allies?

16. The Assiniboine fought:
    (a) Against what confederacy?
    (b) For control of what area?
    (c) During what century?

17. The Assiniboine acquired horses and firearms:
    (a) By what means?
    (b) At what time in history?

18. What was the estimated Assiniboine population in the 19th century?

19. The smallpox epidemic of 1836 killed approximately how many Assiniboine?

20. To what terms did the Assiniboine agree in the 1851 Treaty of Fort Laramie?

21. What was the purpose of the signing of the Treaty of 1855?

22. The Fort Belknap Reservation was established:
    (a) In what year?
    (b) When was it moved?

23. Which Assiniboine chief signed the Fort Laramie Treaties?

24. What was the policy of the U.S. government?

25. The late 20th century Assiniboines were?

26. What is the estimated population of Assiniboines in Canada?

27. What is the estimated population of Assiniboines in the United States?

28. Where are their principal locations in Canada?

29. Which two Montana reservations did the Assiniboine in the United States share?

30. The Canadian Assiniboine signed three treaties with their government in return for lands ceded to Canada. What did the Assiniboine receive in exchange?

31. What customs do the Assiniboine practice?

ANSWERS

1. As' see' ne pai tue (Those who cook with stones).

2. Nakoda (The People).

3. Stoney.

4. Siouxian Family.

5. Driving them into compounds.

6. Visions, ceremonies and rites, sacred objects, purification by sweating, pipes, sweet grass.

7. The Creator.

8. The Sun Dance.

9. (a) 1904.
   (b) General reaction.
   (c) The U.S. Department of the Interior.
   (d) 1935.

10. (a) The 1950's.
    (b) The Keeper died before handing down the rituals.
    (c) Yes.
    (d) With other tribes.

11. The police force, club-like organizations.

12. Straight-lined geometrical designs.

13. (a) Rawhide painting.
    (b) Porcupine quill embroidery.
    (c) Shell of displaying in attachment of feathers.

14. (a) Romance in the sex life.
    (b) Deep love for children.
    (c) Discipline, although mild.

15. The Chippewa and the Cree.

16. (a) The Blackfoot Confederacy.
    (b) For control of the prairies.
    (c) During the mid-18th century.

17. (a) By inter-tribal trading.
    (b) In the mid-18th century.

18. 8,000 to 10,000.

19. 4,000.

20. They agreed to allow free access to wagon trains on the Oregon Trail, the building of roads, and the establishment of a chain of U.S. forts on their country.

21. Set aside territory for Indian hunting rights, but not a reservation.

22. (a) 1870.
    (b) It was moved to its present location in 1888.

23. Chief Crazy Bear.

24. (a) To provide the Assiniboine with the necessities of life, which they could no longer provide for themselves.
    (b) Emphasis was placed on assimilation into the general society.
    (c) Land was allotted in small tracts.
    (d) Children were sent to federal boarding schools.
    (e) Indian religious practices were repressed under the Religious Crimes Code.

25. A wide geographic area.

26. 1,500.

27. 4,500.

28. The Stoney Reserve in Morley, Alberta, and smaller lands in various other reserves in Alberta and Saskatchewan.

29. Fort Belknap Reservation and Fort Peck Reservation.

30. (a) One square mile for each family of five.
    (b) The right to hunt and fish, tracts of land, surrender to government schools, and some agricultural eqipment.

31. Sharing their possessions, preparing traditional foods, participating in Indian celebrations, give-aways, and feasts.

EXERCISES FOR BETTER UNDERSTANDING OF THE IROQUOIS CONFEDERATION

DEFINE THESE WORDS:

1. Confederation
2. Organization
3. Revenge
4. Universal peace
5. Union
6. Clans
7. Leagues
8. Algonquins

FACTS TO BE CHECKED

1. In what year was the Iroquois Confederation believed to have been first established?
2. What were the names of the first five tribes to join the Confederation?
3. What was the name of the last tribe to join the Iroquois Confederation?
4. What were the names and tribes of the men believed to be the founders of the Iroquois Confederation?
5. What part did women play in the political affairs of the Confederation?
6. How often were the different tribes required to meet?

FACTS TO BE CHECKED

1. In what year and in what town did the Cherokee make their first treaty with the United States?
2. What were some of the provisions of the second treaty which the United States made with the Cherokee people?
3. What was the Cherokee, Sequoyah, famous for?
4. How many Cherokee syllables were isolated and assigned a character?
5. Who was responsible for the Cherokee people acquiring a printing press?
6. In what year did the Cherokee tribe publish their first newspaper?
7. According to the article, who was one of the most prominent persons responsible for the Cherokees being moved from their land?
8. What was the decision in the Cherokee vs. Georgia trial?
9. What was the decision in the Worcestor vs. Georgia trial?
10. What was the name of the man elected as principal chief of the Cherokee, and how much Cherokee Indian was he?
11. 18,000 Cherokees went west following 1835. How many died in the stockades or on the journey?

EXERCISES FOR THE BETTER UNDERSTANDING OF THE CHEROKEE NATION

DEFINE THESE WORDS:

1. Treaties
2. Sovereignty
3. Boundary
4. Trespass
5. Violation
6. Cultivators
7. Gratuitously
8. Husbandry
9. Bicameral
10. Annuity
11. Cessions
12. Jurisdiction

ANSWERS

1. 1570.
2. The Mohawks, Oneidas, Onondagas, Cayugas, and Senecas.
3. The Tuscaroras.
4. They were Deganawidah, a Huron refugee, and his disciple Hiawatha, a Mohawk priest.
5. The women played an important part in political affairs. They were the ones who headed each of the small clans that made up the Confederation.
6. The different tribes tried to meet at least once every year, but were required by their law to meet at least once every five years.

ANSWERS

1. In 1785 in a town called Hopewell in South Carolina.
2. The treaty defined boundaries, guaranteed the tribe against future encroachment, and promised to help the Cherokee to change from hunters to herdsmen and cultivators.
3. He established a system of writing for the Cherokee language.
4. Eighty-six syllables.
5. The American Board Missionary, Samuel Worcestor.
6. 1828.
7. Andrew Jackson.
8. The court rejected the Cherokees' request for the federal court to assume jurisdiction over them, instead of being under the jurisdiction of the State of Georgia.
9. The decision stated that the Cherokee Nation is a distinct community, occupying its own boundaries accurately described, and which the citizens of the state of Georgia have no right to enter without the assent of the Cherokee tribe.
10. John Ross, who was 1/8 Cherokee.
11. 4,000 Cherokees died.

EXERCISES FOR THE BETTER UNDERSTANDING OF THE NORTH-WEST ORDINANCE

DEFINE THESE WORDS:

1. Ordinance
2. Territory
3. Ceded
4. Confederation
5. Legislating
6. Principles
7. Expansion
8. Townships
9. Land speculators
10. Arbitrary

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FACTS TO BE CHECKED

1. In what year was the Thomas Jefferson Ordinance passed?

2. What ordinance provided for the survey and sale of United States public lands?

3. After the Ordinance of 1785, why was it hard for the small pioneer farmer to buy sections of land?

4. Why did Congress rush the passage of the Ordinance of 1787, called the North-West Ordinance?

5. What was one of the three stages that the newly formed states had to pass through in order to be on an equal basis with the older states?

6. What else did the North-West Ordinance provide the settlers with?

ANSWERS

1. 1784.

2. The Ordinance of 1785.

3. The small farmer could not afford to pay $640 per section.

4. Congress wanted to have some sort of control in the newly-settled areas.

5. Any of the three answers below:
   (a) First stage: The new area would have to be completely dependent on Congress to appoint a governor, a secretary, and three judges.
   (b) Second stage: This would begin when the adult male population reached 5,000.
   (c) Third stage: When the population reached 60,000 the territory could form a constitution, and apply for admission to the Union on a basis of equality with the other states.

6. It provided them with a Bill of Rights, which guaranteed the settlers freedom of religion, trial by jury, freedom from arbitrary arrest, and the prohibition of slavery in the new states.

EXERCISES FOR THE BETTER UNDERSTANDING OF THE ISSUE OF INDIAN SOVEREIGNTY

DEFINE THESE WORDS:

1. Sovereignty

2. Issue

3. Provisions

4. Litigation

5. Intervention

FACTS TO BE CHECKED

1. In what year was the first policy concerning Indian sovereignty passed, and what was the name of the policy?
2. What were some of the benefits that the Indians received when they ceded their lands and moved to the reservations?
3. What were two of the litigations mentioned which lessened Indian rights of sovereignty?
4. How did the Civil Rights Act detract from tribal sovereignty rights?
5. What were the names of the two parties involved in the federal court's overruling of the tribal court on the Fort Belknap Reservation?

ANSWERS

1. The Indian Removal Act in 1930.
2. They received the guarantee of sovereignty on the lands reserved for them by the federal government, and the services of free education and free health care.
3. Any of the following: the Major Crimes Act, the Dawes Act, the Johnson-O'Malley Act, the Indian Claims Act, the Claims Commission, the Relocation Act, the Termination Act, Public Law 280, and the Indian Civil Rights Act.
4. This Act protected individual Indians from their own tribal governments, but in the process put potentially serious limitations on tribal sovereignty.
5. Colliflower vs. Garland.

INDIAN EDUCATION — ACTS OF LEGISLATION

QUESTIONS

1. Which U.S. President signed the Indian Education Act of 1972?
2. Why was the Indian Education Act brought into being?
3. Under what Act was the National Advisory Council for Indian Education created?
4. What year was the Johnson-O'Malley Act passed?
5. What is the purpose of the Johnson-O'Malley Act?
6. Who is eligible under the Johnson-O'Malley Act?
7. When was the Indian Self-Determination and Education Assistance Act signed into law?
8. Title II, the Indian Education Assistance Act amends which other Act?
9. What does Title II, the Indian Education Assistance Act, provide for?
10. How many treaties were negotiated with Indian nations which included special clauses referring to the rights of Indians to education, and the responsibilities of the federal government to provide this education?

ANSWERS

1. President Nixon.
2. Because of the statistics which describe the shameful condition and the lack of educational opportunities for Indian children and their elders.
3. Indian Education Act of 1972.
4. 1934.
5. To provide federal funds to states to enable them to educate eligible Indian children in their school systems.
6. All children of one-quarter Indian ancestry whose parents live on or near Indian reservations under the jurisdiction of the Bureau of Indian Affairs.
7. January 4, 1975.
8. The Johnson-O'Malley Act.
9. It provides the Indian community with a stronger role in approving or disapproving the use of funds for children in public schools. It also provides for better planning in the use of these funds to meet the educational needs for the Indian students.
10. Over 400.

ALTERNATIVE EDUCATION

QUESTIONS

1. Why have alternative educational systems been established for Indian students?
2. What other factors are included with the increase of the drop-out rate among Indian students?
3. What are some of the needs of Indian students attending alternative schools?
4. Do the alternative schools offer any other courses besides the one that are based solely on Indian principles? If so, what are they?
5. What are some of the important qualifications that the teaching staff needs to teach Indian students?
6. Are the alternative school systems successful? If so, why?
7. Name at least two of the alternate schools.
8. Which of these schools has played a unique role in the determination of parental rights through the establishment of more than fifty licensed Indian foster homes?
9. By whom was the Two Eagle River established, and where?
10. What is the name of the alternative school located in Fort Hall, Idaho?
11. The Tulsa Indian Youth Council's Indian Education Program was chartered as a non-profit organization in what year?

ANSWERS

1. Because the Indian students dropped out of schools that did not meet their needs, it was necessary to find an alternate form of education.

2. Increases in the number of Indians in reform schools and other correctional institutions.

3. The need to find the truth about their own heritage, to learn of the practices and beliefs of their own people, and to find their own identity as Indian people.

4. Yes, they offer the general studies that are required by law.

5. They must have patience, time, kindness, and an understanding of Indian people and their culture.

6. Yes, because they adhere to the needs of the students, and because there is no prejudice or discrimination directed towards them.

7. (a) The Heart of the Earth Survival School;
   (b) the Tulsa Indian Youth Council;
   (c) the Two Eagle River School;
   (d) the Shoshone-Bannock Alternate Education Program.

8. The Heart of the Earth Survival School.

9. The Confederated Salish and Kootenai Tribes of the Flathead Indian Reservation in Dixon, Montana.

10. The Shoshone-Bannock Alternate School.

11. 1972.

EXERCISES FOR THE BETTER UNDERSTANDING OF NATIONAL INDIAN FORESTRY

DEFINE THE TERMS:

1. Forestry

2. Cooperative agreement

3. Formulate

4. Adjacent

5. Slash

6. Board Feet

7. Merchantable

FACTS TO BE CHECKED:

1. In what year did forestry on Indian lands first begin?

2. What department of the United States government supervised the forest lands on Indian reservations in 1908?

3. Name one of the provisions of the agreement between the two government departments.

4. Which of these three provisions was never enacted, and why?

5. What was the main purpose of the cooperative agreement?

6. Give one of the reasons that the cooperative agreement didn't work.

7. Give the estimated amount of board feet in lumber on the Fort Belknap Reservat.

8. In what year did the two departments end their cooperative agreement?

9. What department finally retained supervision of Indian lands?

ANSWERS

1. In 1908.

2. The Forest Service, by an agreement between the Department of the Interior and the Department of Agriculture.

3. (1) The sale of timber and the supervision of logging on Indian reservations, using methods which would improve the forest and yield the full market value of all timber cut.
   (2) The protection of all forests on Indian reservations, whether or not they were in use.
   (3) A study of the forests on Indian lands to determine the best permanent use of the lands upon which they grew, and management plans for these lands which were most valuable for forestry uses.

4. Number three, because of insufficient funding.

5. To induce better administration of Indian forest lands.

6. With the two departments having a say in matters concerning forestry on Indian lands, there was much bureaucratic complication.

7. 10 to 15 million board feet of lumber.

8. In 1909.

9. The Department of the Interior.

EXERCISES FOR THE BETTER UNDERSTANDING OF NATIONAL INDIAN WATER RIGHTS

DEFINE THESE WORDS:

1. Doctrine
2. Feasible
3. Beneficial
4. Municipal
5. Appropriation
6. Stymied
7. Litigation
8. Quiescence
9. Adjudicated

FACTS TO BE CHECKED:

1. What is the name of the doctrine that gave the Indians a special type of reserved water right?
2. What is one possible application of this doctrine to the water rights of a non-white person who has filed for rights on streams which have Indian water rights?

ANSWERS

1. The Winters Doctrine.
2. Indian water rights may emerge as active claims to water; Indians may call for use of large quantities in the future; or much of the water now put to use by non-Indians may be diverted to new, Indian uses.

WATER RESOURCES AND IRRIGATION WATER

QUESTIONS:

1. Where is the main surface water supply on Fort Belknap?
2. What is the average annual streamflow of this main surface water supply?
3. When does the spring run-off occur?
4. What is the only storage facility on the main stream of the Milk River above the Fort Belknap Reservation?
5. What is the second most significant source of surface water on the Fort Belknap Reservation?
6. Name one of the most significant court cases dealing with Indian water rights, and in whose favor the decision was made.
7. What is the International Boundary Treaty?
8. Which two Indian reservations contribute to the natural flow of the Milk River?
9. What aquifer is considered the greatest economical potential on the Reservation?
10. Name two of the three possible sources of increased water supplies to the Reservation.

ANSWERS

1. The Milk River.
2. 215,000 acre-feet before upstream storage and diversion.
3. March, April, and/or May.
4. Fresno Dam and Reservoir.
5. Peoples Creek and its tributaries.
6. *Henry Winters vs. United States* states, "In effect the Supreme Court has held that rights to use of water for irrigation of Indian Reservation lands have been reserved. Moreover, the water rights reserved are not limited to that necessary for irrigation at the time the reservations were established."
7. An agreement between the United States and Canada to share the water supply of the Milk River.
8. The Blackfeet and Rocky Boy Reservations.
9. The Madison Limestone.
10. (1) Cloud seeding in the Little Rocky and Bear Paw Mountains.
    (2) Trans-basin diversion from a source not included in the inventory.
    (3) Increased streamflow regulation capability.

EXERCISES FOR THE BETTER UNDERSTANDING OF THE B.I.A. ROADS DEPARTMENT

DEFINE THESE TERMS:

1. Bureau of Indian Affairs
2. Survey
3. Commissioner
4. Construction
5. Regulations
6. Regulatory
7. Roadless area
8. Reserve

FACTS TO BE CHECKED

1. Who funds the Roads Department?
2. What is the purpose of the Roads Department?
3. What are the responsibilities of the Commissioner of Indian Affairs in dealing with the Roads Department?
4. Who is generally responsible for the administration and maintenance of Indian reservation roads and bridges?
5. Who is responsible for erecting regulatory signs on the Reservation roads?
6. What is a roadless area as defined in the article?
7. Where is the only existing reservation roadless area?
8. Give one of the objectives for conducting public heaings on proposed road projects.

ANSWERS

1. The B.I.A.

2. To plan, design, construct, maintain, and administer roads and bridges on the Indian reservations.

3. The Commissioner of Indian Affairs is responsible for planning, surveying, and designing all roads on Indian lands.

4. It is generally a responsibility of the local tribal government.

5. The Commissioner of Indian Affairs.

6. A roadless area has been defined as one which contains no provisions for the passage of motorized transportation, and which is at least 100,000 acres in extent.

7. On the Wind River Reservation in Wyoming.

8. (A) To inform interested persons of the road proposals which affect them and to allow such persons to express their views at those stages of a project's development when the flexibility to respond to those views still exists.
   (B) To insure that road locations and designs are consistent with the reservation's objectives and with applicable federal regulations.

EXERCISES FOR THE BETTER UNDERSTANDING OF FORESTRY HISTORY ON THE FORT BELKNAP RESERVATION

DEFINE THESE TERMS:

1. Timber reserves

2. Stumpage

3. Cordwood

4. Forest Guard

5. Sawmill

6. Erosion

7. Devastation

8. Tree thinning

9. Infestation

10. Resources

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FACTS TO BE CHECKED

1. In what year did Congress pass the Timber Sale Act?
2. What was the Timber Sales Act?
3. In what year was the permit system established?
4. What was the purpose of the permit system?
5. What was the name of the Forest Guard from the Fort Belknap Reservation who developed a reservation forest fire protection plan that was ordered for all other reservations by the Commission of Indian Affairs?
6. What work groups were organized under President Roosevelt's New Deal?
7. What does the E.C.W. program do?
8. What was the major forestry problem of the 1970's?

ANSWERS

1. In 1910.
2. It permitted, for the first time, the cutting of merchantable live timber on the Indian lands.
3. In 1912.
4. Its purpose was to control the cutting and sale of reservation timber, and specified that timber suitable for saw logs could not be cut into cord (fire) wood.
5. Forest Guard Richard King.
6. The Civilian Conservation Corps (C.C.C.) and the Civilian Conservation Corps—Indian Division (C.C.C.-I.D.).
7. It provides emergency conservation work, and deals with projects of forestry concern.
8. The pine beetle infestation.

EXERCISES FOR BETTER UNDERSTANDING OF THE FORT BELKNAP ROADS DEPARTMENT

DEFINE THESE TERMS:

1. Maintenance
2. Road systems
3. Guideline
4. Priority

FACTS TO BE CHECKED

1. What is the purpose of the Fort Belknap Roads Department?
2. What reason was given for the ending of major roads work on the Fort Belknap Reservation?
3. What was the average cost of each road built on the Fort Belknap Reservation?
4. What kind of work crew remains on duty in the Roads Department?

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ANSWERS

1. Its purpose is to maintain the Reservation's road system as established by the tribe in accordance with funding provided, and also to construct certain roads on the public road systems that have been established by tribal priority.

2. It was because of lack of funding.

3. Each road cost over one million dollars to build.

4. The maintenance crew.

IRRIGATION: FORT BELKNAP RESERVATION

QUESTIONS

1. What is the irrigated acreage on the Fort Belknap Reservation?

2. Knowing that 7,919 acres are privately owned, it is felt that the Fort Belknap Project is operated with moderate intensity, while private projects are operated with low intensity. The private projects depend on diversion from Peoples Creek and its headwater streams in the Little Rockies. These projects include:

3. Morrison-Maierle in 1974 and 1975 conducted an inventory and evaluation of the Fort Belknap Irrigation Project. What did the study indicate as the primary problems?

4. According to the material, what causes many areas to have alkaline accumulation?

5. How could an improvement of the lands be accomplished?

ANSWERS

1. 18,344 acres.

2. The Jim Brown Unit, the Duck Creek Unit, and Peoples Creek Unit.

3. The distribution systems were split, and there was heavy weed growth in canals, laterals, and drains.

4. Poor drainage is prevalent throughout the Fort Belknap Project.

5. By cleaning existing drainage systems, and constructing additional drains.

BUREAU OF INDIAN AFFAIRS

QUESTIONS

1. When was the Department of the Interior created?
2. What are the primary responsibilities of the Department of the Interior?
3. The Department of the Interior oversees approximately how many acres of federal and trust land?
4. List the areas over which the Department of the Interior has responsibility.
5. Under which department was B.I.A. before its transfer to the Department of the Interior?
6. In what year was the transfer?
7. In what year was the B.I.A. established?
8. Is the B.I.A. still under the Department of the Interior?
9. Who is head of this Department?
10. What are the three basic office levels within the B.I.A., and who directs these offices?
11. What are the goals of the B.I.A. as stated in the B.I.A. Manual?
12. How many agency offices are there in the U.S.?
13. How many area offices are there?
14. Who has authority over these offices?
15. Where is the Central Office located?
16. What was the previous title of the Superintendent?
17. The title of Commissioner of Indian Affairs was changed to what title, and in what year?

ANSWERS

1. March 3, 1849.

2. Conservation and natural resources.

3. 500 million acres of federal land and 55 million acres of trust land.

4. Land and natural resources, conservation and recreation programs, social and economic development programs for U.S. Trust Territories, and U.S. relations with American Indian and Alaska Natives.

5. The War Department.

6. In 1849.

7. In 1842.

8. Yes.

9. The Secretary of the Interior.

10. (1) Local Agency – Superintendent
    (2) Regional Area – Area Directors
    (3) Central Office – Assistant Secretary for Indian Affairs

11. (1) To encourage train Indian and Alaska Native people to manage their own affairs under a trust relationship with the federal government.
    (2) To facilitate, with maximum involvement of Indian and Alaska Native people, the full development of their human and natural resource potentials.
    (3) To mobilize all public and private aid for the advancement of Indian and Alaska Native people for their use.
    (4) To use the skills and capabilities of Indian and Alaska Native people in the direction and management of programs for their benefit.

12. 82 Agency offices.

13. 12 Area offices.

14. The Assistant Secretary of Indian Affairs.

15. Washington, D.C.

16. The Indian Agent.

17. Assistant Secretary of Indians, in 1977.

EXERCISES FOR BETTER UNDERSTANDING OF THE CONSTITUTION OF THE FORT BELKNAP RESERVATION

DEFINE THESE WORDS:

1. Constitution
2. Preamble
3. Jurisdiction
4. Allottees
5. Descendants
6. Amendment
7. Tenure
8. Enumerated Powers
9. Initiative and referendum
10. Impeachment
11. Article

FACTS TO BE CHECKED

1. In what year was the Fort Belknap Reservation founded?
2. In what year was the Fort Belknap Indian Community established?
3. What was the Howard-Wheeler Act?
4. (A) How many members of the Tribal Community Council are there?
   (B) What is the length of their terms?
5. How much Indian blood (Gros Ventre or Assiniboine) is needed in order to be entitled to membership in the Fort Belknap Community?
6. What are three powers that the Community Council has the right to exercise?
7. Under what article is the right to vote stipulated?
8. Under what article is the impeachment process stated?
9. Explain the amendment procedure as stipulated in the Constitution.
10. Give two of the three objectives of the Constitution.

ANSWERS

1. In 1888.

2. In 1935.

3. It was the governmental act which established the Fort Belknap Indian Community.

4. (A) There are twelve members of the Fort Belknap Community Council — six from the Gros Ventre Tribe and six from the Assiniboine Tribe.
   (B) The Council members are elected for four (4) years; the terms are arranged so that every two years, six positions on the Council are open for re-election.

5. 1/4 of either Gros Ventre of Assiniboine Indian blood is needed.

6. Any of the items listed in Article 4, Section 1(a) through 1(s).

7. Article 7: Elections.

8. Article 8: Removal From Office.

EXERCISES FOR BETTER UNDERSTANDING OF THE BY-LAWS OF THE FORT BELKNAP INDIAN COMMUNITY

DEFINE THESE WORDS:

1. Qualifications

2. Enrolled member

3. Quorum

4. Tribal Council

5. Allotted lands

6. Heirship lands

7. Community lands

8. Pecuniary

FACTS TO BE CHECKED

1. What are the two duties of the president of the Tribal Council?

2. What is the duty of the vice-president?

3. What is the duty of the secretary-treasurer?

4. What are the three qualifications for serving on the Community Council?

5. What are inheritance lands according to the By-Laws of the Fort Belknap Community?

6. The unallotted lands of the Fort Belknap Community are considered to be what kind of lands?

7. What does "grant of exchange assignments" mean?

8. List one of the two conditions under which the Tribal Council can use tribal funds to purchase land.

ANSWERS

1. Any of the items listed in Article 1, Section 1.
2. Section 2, all of paragraph.
3. Section 3, all of paragraph.
4. Article 2, all of paragraph.
5. Section 8, Article 4.
6. Section 2, Article 5.
7. Article 5, Section 6.
8. Article 5, Section 12(a) or 12(b).

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EXERCISES FOR BETTER UNDERSTANDING OF THE CORPORATE CHARTER OF THE FORT BELKNAP INDIAN COMMUNITY

DEFINE THESE WORDS:

1. Perpetual
2. Corporate
3. Charter
4. Termination
5. Management
6. Claims
7. Jurisdiction
8. Ratification
9. Dividends
10. Expenditures

FACTS TO BE CHECKED

1. According to which article in the Corporate Charter did the Fort Belknap Community receive its status as "The Fort Belknap Indian Community?"
2. What is meant by "perpetual succession" as mentioned in one of the Articles in the Fort Belknap Corporate Charter?
3. What are three of the corporate powers of the Fort Belknap Indian Community?
4. Which Article in the Fort Belknap Indian Community Corporate Charter pertains to the termination of certain supervisory powers previously under the supervision of the Secretary of the Interior?
5. Which Section in Article 7 pertains to allotted tribal lands?
6. Which Section in Article 7 pertains to the administration of monies borrowed by Community members or associations of such members?
7. What is meant by "corporate dividends" as pertaining to the Fort Belknap Corporate Charter?
8. What are corporate accounts as pertaining to the Fort Belknap Corporate Charter?

ANSWERS

1. Article 1 of the Corporate Charter: Corporate Existence.
2. It means everlasting existence, as according to Article 2 of the Fort Belknap Indian Community; it shall have continuing existence as a community.
3. Any of the Sections (A) through (J) of Article 5.
4. Article 6: Termination of Supervisory Powers.
5. Section (E) of Article 7.
6. Section (E) of Article 7.
7. Corporate dividends are distributed in the form of per capita payments of profits earned by the Community that are over and above all other necessary expenses.
8. Corporate accounts are accounts of the financial affairs of the Fort Belknap Community Council.

EXERCISES FOR BETTER UNDERSTANDING OF THE LAW AND ORDER OF THE FORT BELKNAP RESERVATION

DEFINE THESE WORDS:

1. Habeas corpus
2. Tenure
3. Marijuana
4. Jurisdiction
5. Sun Dance

FACTS TO BE CHECKED

1. When was the first Court on the Fort Belknap Reservation established?
2. Who were the first three judges of the Fort Belknap Court?
3. What was a judge's salary per month at that time?
4. Who can take precedence over all three Indian judges?
5. Later, the law enforcement division included two policemen and one judge. Who appointed them to their positions?
6. What was the pay at that time for a judge and a policeman?
7. Was the Sun Dance religion outlawed at that time?
8. Was being a medicine man an "Indian offense?"
9. List the qualifications of a jury member.
10. How long will a judge hold office?
11. List the qualifications of a judge.

12. The Court of Appeals consists of how many judges?

13. The Court of Appeals is the _____ court of the Fort Belknap Indian Community.

14. In whom is vested the judicial power of the people of the Fort Belknap Reservation?

15. The Fort Belknap Tribal Court shall consist of how many judges?

16. Each judge will hold office for how many years?

17. A jury will consist of how many jurors?

18. How will the Children's Court protect a child's interests?

19. Why does Fort Belknap need a recognized Children's Code?

20. In Tribal Court, how must all criminal prosecutions begin?

21. What is a new trial?

22. Name two methods used by the Fort Belknap Health Board to determine if a drug is hazardous to your health.

23. If a person is convicted of selling or giving any alcoholic beverages, marijuana, drugs, or any harmful substances to a minor, he or she will be fined in the amount of (a) _____ and/or confined to jail for a period of (b) _____.

24. Any person convicted of criminal possession or marijuana in an amount which does not exceed (a) _____ grams of marijuana, or (b) _____grams of hashish, for the first offense will be punishable by a fine of (c) _____ or a jail sentence not to exceed (d) _____ days, or both.

25. A second offense within a one-year period shall be punishable by a fine of (a) _____ or a jail sentence not to exceed (b) _____ days, or both.

26. Over whom does the Children's Court have jurisdiction?

27. What is a guardian ad litem?

28. Name three rules that a shelter care or detention home must follow.

29. How old must a child be in order to be transferred to Adult Court?

30. Give the procedures in transferring the child to Adult Court.

ANSWERS

1. July 1, 1902.

2. Rustler, an Assiniboine; Skunk, a Gros Ventre; and Many Coups, an Assiniboine.

3. Ten dollars.

4. The agent at the time.

5. The Superintendent.

6. $25 for a judge, and $45 to $65 for a policeman.

7. Yes.

8. Yes.

9. (1) Must be an adult member of either the Assiniboine or the Gros Ventre tribe.
   (2) Must be 21 years of age.
   (3) Must not have been convicted of a felony.
   (4) Must not have been dishonorably discharged from the armed forces.
   (5) Must not be a judge or an employee of the Court.
   (6) Must reside on the Reservation.

10. Four years.

11. (1) Must be an enrolled member of the tribes of Fort Belknap.
   (2) Must not be convicted of a misdemeanor within a one-year period immediately after his or her appointment.
   (3) Must not have been convicted of a felony.
   (4) Must be at least 30 years of age.
   (5) Must have completed four years of high school.
   (6) Must not have received a dishonorable discharge from the armed forces.
   (7) Must have completed an examination set forth by the Tribal Council.

12. Three judges.

13. Highest.

14. The Fort Belknap Tribal Court and the Fort Belknap Indian Community Court of Appeals.

15. Three; two associate judges and one chief judge.

16. Four years, until granted tenure.

17. Six jurors.

18. By choosing a course of action which least restricts the child's freedom, and for the safety and protection of their Reservation.

19. Because there is a need for some kind of code to keep the children in order, and to help them and ensure their safety on the Reservation.

20. A complaint under oath.

21. A new trial is a re-examination of an issue in the same court, but before another jury.

22. (1) Relative potential for abuse.
   (2) Scientific evidence of its pharmacological effect, if known.
   (3) The state of current scientific knowledge concerning the drug.
   (4) History or patterns of abuse.
   (5) Risk to public health.
   (6) Potential of the drug to produce psychic or physiological dependence.

23. (a) $500.00.
   (b) 6 months.

24. (a) 60.
   (b) One.
   (c) $150.00
   (d) 60.

25. (a) $300.00.
   (b) 120.

26. The Children's Court has jurisdiction over any youth residing upon or found on the Reservation, or who has been transferred to the Court under the Child Welfare Act; and over all persons having care, custody, or control of the youth, etc.

27. A guardian ad litem is an individual appointed by the courts to represent the best interests of the child in an advocacy role; one who pleads the cause of another.

28. Cleanliness standards, heat, water, and light standards, etc.

29. Fourteen (14).

30. (1) The youth may file a petition requesting the transfer.
    (2) The Children's Court will conduct a hearing.
    (3) Prior to the hearing, a study and a written report will be given to the Children's Court.
    (4) The Children's Court can transfer the youth to Adult Court if it finds evidence that there are no reasonable means of rehabilitating the youth through the resources available to the Children's Court, and if the offense allegedly committed shows evidence that the youth is substantially dangerous to the public.
    (5) When the youth is transferred to the Adult Tribal Court, the Children's Court will make a written transfer order containing the reasons for its decision to transfer the case.

GLOSSARY

Acquisition – The act of acquiring; to gain.
Act – A decision or determination of a legislative council or a court of justice.
Advocacy – One that pleads or supports the cause of another.
Algonquin – A division of Indian language spoken from Labrador to Carolina and westward to the Great Plains. Dialect of Owjibwa.
Allocation – Distribution or designation.
Allotted lands – Lands given to be used for a specific purpose or people.
Amendment – A change or alteration.
Annuity – An amount payable yearly or at a regular interval.
Applicant – A person who applies for something.
Arbitrary – Selected at random and without reason.
Article – A distinct, often numbered section of writing.
Assimilate – To take into the mind and thoroughly understand.
Bicameral – Having, consisting of, or based on two legislative chambers.
Bylaws – Rules adopted by an organized government for the government members and the regulations of its affairs.
Bureaucracy – A body of non-elective government officials.
B.I.A. – Bureau of Indian Affairs.
Cede – Yield or withdraw
Cessions – A yielding to another.
Charter – A written contract or an instrument in writing from the authorities of a society creating a branch or lodge.
Claim – A right to something; as a title to a debt.
Clan – A group united by a common interest or common characteristics.
Community lands – Lands owned by the community and used for the improvement of the community.
Concurrent – Operating or occurring at the same time.
Confederation – The body formed by persons, states, or nations united by a league.
Constitution – The basic principles and laws of a nation, state, or social group that determines the powers and duties of the government and guarantee certain rights to the people involved.
Corporate – Formed into an association and endowed by law with the rights and liabilities of an individual.
Cultivator – A tool to loosen the soil while crops are growing.
Default – To fail to meet a financial agreement.
Deleterious – Having an often obscure or harmful effect.
Delinquent – Unpaid or late payment of a debt.
Descendant – Proceeding from an ancestor or source.
Expenditure – Expense; cost.
Exterminate – To get rid of completely.
Facilitate – To make easier.
Fiduciary – Held or founded in trust or confidence.
Finance – To raise funds for a purchase.
Felony – An act of crime in which the punishment by federal law may be death or imprisonment.
Habeas corpus – The right of a citizen to be protected against illegal imprisonment.
Impeachment – The charging of an official with wrong-doing or misconduct.
Implement – To carry out.
Incriminate – To charge a person with being involved in a crime.
Initiative – The right to begin legislative action.
Intervention – Becoming involved in a quarrel.
Jurisdiction – The power to apply the law.
League – An association of people or groups with common interests.
Legislate – To make or enact laws.
Liaison – A close bond or connection.
Lieu – In place of.
Liquidation – To determine the amount of indebtedness.
Litigation – A legal contest carried out by judicial process.
Loan – An amount lent for the borrower's temporary use.
Metamorphosis – A change of physical form, structure, or substance.
Ordinance – An authoritative decree or direction.
Organization – The act of organizing characterized by conformity to certain standards of requirements.

Perpetual – Continuing forever.
Pharmacological – The properties and reactions of drugs with relation to their therapeutic value.
Physiological – Characteristic of an organism's healthy or normal function.
Preamble – An introductory statement.
Precedence – Priority of importance.
Principle – A rule or code.
Provision – A stock of needed materials.
Psychic – Sensitive to supernatural forces.
Quorum – A majority of officers of members of a party.
Ratification – Approval.
Referendum – The practice of submitting a legislative item to popular vote
Relocation – To establish in a new place.
Rent – The amount paid by a borrower to the owner of the property.
Renter – A person who leases a property.
Self-determination – The free choice of one's own acts, without external influence.
Sovereignty – Freedom from external control.
Subpoena – An order commanding a person to appear in court.
Tenure – Status granted after a trial period.
Termination – To bring to an end.
Territory – A geographical area belonging to a governmental authority.
Township – A town.
Treaty – A contract in writing between two or more parties.
Union – Formed by a combining of parts of members.
Vigilance – The quality of being alert or watchful.
Yanktonians – Western prairie subdivision of the Dakota people.

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to fulfill other Health Board business matters.

Counseling is available for women with an unwanted pregnancy. The three choices available to her will be ex-

vided by the Indian Health Service upon the patient's request up to the 24th week of gestation.

QUESTIONS AND ANSWERS

SCHOOLS ON FORT BELKNAP

1. Q: When was the first Day-School on Fort Belknap started?
   A: In 1886.

2. Q: What year was the first Boarding School opened on Fort Belknap and where was it located?
   A: In 1890 at the Agency

3. Q: The attempt on the part of the whiteman to forcefully do away with the Indian culture was begun when? How?
   A: It was begun when the first boarding school opened (1890) through the use of education.

4. Q: When was the St. Paul's Mission estalished and by who?
   A: In 1887 by Father Frederick Eberschweiler, S.J.

5. Q: In what year did the first eighth grade graduates receive their diplomas at the St. Paul's Mission?

   A: In 1937.

6. Q: In what year did the first high school graduates receive their diplomas? And the last high school graduates?
   A: The first graduates received theirs in 1941 and the last in 1974.

7. Q: When did the whole Mission School burn down?
   A: On December 5, 1973.

8. Q: What two surrounding towns of Fort Belknap usually have a high enrollment of Indian students?
   A: Harlem and Dodson.

9. Q: Is the strict discipline what was exercised long ago in the reservation schools still in use today?
   A: No.

10. Q: Can you explain why the Gros-Ventre and Assinibione tribes have almost completely lost their religion, language and culture?
    A: Because long ago, as children, they were forced to stay in boarding schools (at the Agency and Hays) where they had to learn what the whiteman laid out to them and they were forbidden to speak their language or visit their elders.

11. Q: Has the whiteman educated the Indian on Indian terms?
    A: No.

12. Q: Can you list three ways in which the Gros-Ventre and Assiniboine may have a chance in regaining their culture, religion and language?
    A: 1) Include them in the curriculum as REQUIRED subjects in their schools starting from kindergarten through high school.
    2) The SUPPORT and INTEREST of all tribal members is also important.
    3) They should be practiced and taught at home.

QUESTIONS AND ANSWERS

FORT BELKNAP TRIBAL EDUCATION

1. Q: Who created the Fort Belknap Education Department and When?
   A: The Fort Belknap Community Council Created the Fort Belknap Education Dept. in June of 1977.

2. Q: What was the Fort Belknap Education Department created for?
   A: To serve all tribal members where ever and when ever they request educational services.

3. Q: What committee was established to provide direction to the Fort Belknap Education Dept.
   A: The Reservation-Wide Education Department.

4. Q: The Reservation-Wide Education Committee is made up of who?
   A: Indian parents, educators, and tribal council members.

5. Q: List in order, the administrative staff of the Education Department.
   A: Education Director—Administrative Assistant—Financial Officer—Financial Officer Intern—Secretary.

6. Q: How many programs and projects does the Education Department serve?
   A: Fourteen (14)

7. Q: List any five of the programs and/or projects that are handled by the Fort Belknap Education Department.
   A: Any of the following five:
   1. Adult Education Program
   2. Comprehensive Educational Services Project
   3. Consumer Education Project
   4. Campaign for Human Development Project
   5. Most In Need
   6. Vocational Educational Project
   7. Curriculum Development Project
   8. North Central Montana Talent Search Project
   9. Vocational Business Administration Program
   10. Native American Private Sector Initiative Program
   11. Higher Education Program
   12. Christian Children's Fund
   13. Johnson O'Malley
   14. Fort Belknap Education Scholarship

8. Q: What are the names of the two scholarships that are awarded annually by the Fort Belknap Education Department?
   A: The Billy Tucker Memorial Scholarship and "De Kiva" Native American Scholarship.

9. Q: Can you explain the purpose of the Higher Education Program?
   A: It is designed to provide higher education opportunities to Indian adults who choose to pursue a college education for purposes of obtaining a degree in a wide range of career choices.

10. Q: The Education Dept. Administrative staff are planning future educational programs. On what are these future program developments based?
    A: They are based on educational need as determined by the Fort Belknap Reservation-Wide Education Committee and the Ft. Belknap Community Council.

11. Q: List the four educational programs that the Ft. Belk. Community Council serves.
    A: (1) Fort Belknap Headstart Progam (2) Foster Grandparent Program (3) Handicapped program (4) Indian Action Programs.

EXERCISES FOR THE BETTER UNDERSTANDING OF THE TRIBAL CREDIT PROGRAM OF THE FT. BELK. COMMUNITY

DEFINE THESE TERMS:

1. Borrowers
2. Consolidate
3. Declaration
4. Revolving Funds
5. Disbursments
6. Expenditures
7. Financing
8. Quorum
9. Compensation
10. Moratorium

FACTS TO BE CHECKED:

1. Q: What is the purpose of the Tribal Credit Program?
   A: The purpose of the Tribal credit is to establish procedures to govern all loans by the Tribal Government and to raise the social and economic status of members of the community to a point where they can look to the same sources of financing as are looked to by other citizens.

2. Q: How many members are there in a tribal credit committee?
   A: There are six members on the credit committee.

3. Q: How many members are there in a tribal credit committee from each tribe?
   A: The President and Secretary/Treasurer of the Tribal Council will automatically be members of the committee and the president will select the other four members of the committee. They will serve on the committee until the president selects their successors.

5. Q: How many members of the committee are needed in order to form a quorum? How many are needed in order for any action of the committee to be effective?
   A: Four members will constitute a quorum at any meeting. A majority of votes from the quorum.

6. Q: What is one of the restrictions the committee members must follow?
   A: The members of the committee will not be eligible to receive loans from the Tribal Government during the time they are committee members unless their loan applications are approved by a majority vote of the council and in accordance with Section 18 of this declaration.

7. Q: What is one duty of the Credit Committee?
   A: Any of the duties described in No. 7 of the Tribal credit Program declaration. For example: The committee has full authority in imposing a moratorium on revolving credit funds at descretion where they deem it best in the interest of the credit program.

8. Q: The credit officer is assigned to do what?

   A: He is assigned to the Ft. Belk. Agency to work in close cooperation with the committee and assist applicants and borrowers in the preparation of loan application and other papers.

9. Q: What are three restrictions on approval of applications as pertanent to loans through the credit program?
   A: Answer can be found in number 19A-L of the Declaration of policies of the Tribal Credit Program.

10. Q: What are some of the eligibility requirements for getting loans from the Tirbal Credit Progam?
    A: Only Individual Indians who are enrolled members of the tribes of at least ¼ degree of Indian blood, and who cannot receive financing from the same credit institutions serving other citizens on reasonble terms and conditions, will be eligible for loans from the Tribal Government.

11. Q. What are two objectives lof loans of the Tribal Credit Program?
    A. Answer is found in Section 22 A-D of Tribal Credit Program declaration.

12. Q. Name three of the seven loans that can be acquired through the Tribal Credit Program?
    A. Answer can be found in Number 24 A-H of the Tribal Credit Program.

13. Q. How much interest is charged on Educational Loans, land loans, farm loans?
    A. Interest will be charged the borrowers at the rate of 8.25 percent per annum on Educational loans, 12 percent per annum on loans for the purchase of land, for land improvements and purchase or construction of homes, 13 percent per annum for the purchase of livestock, farm equipment, or other productive items.

14. Q. What kind of security is needed when getting a loan through the tribal credit program?
    A. Borrowers with security to offer will be required to give it up to an amount adequate to protect the loan.

QUESTIONS AND ANSWERS - TRIBAL HEALTH

1. Q: Why was Tribal Health established? How was it established?
   A: A result of a feasibility study, which was carried out by personnel of the Fort Belknap Community (initially from June 7, 1976, to September 30, 1976 and extended to December 31, 1976) under H.S.A. contract No. 244-76-0104, a health need was articulated by three communities of the Fort Belknap Indian Reservation. The Tribal Health Program.

   It was realized that Fort Belknap had many health related programs and contracts and there was no centralized direction of cohesion among these programs. In January 1977, a proposal was submitted for public law 93-678 grant monies to establish the Fort Belknap Tribal Health Department which would centralize adminsitrative direction of all Fort Belknap Tribal Health programs, thereby unifying health program efforts. The proposal was funded by Grant Award No. 59-A-000003-01 for the amount of 150,151.00 by the Indian Health Service for (FY) fiscal year 1977-1978.

2. Q. What does Tribal Health offer the residents of Fort Belknap?
   A. (a) A community Health Representative Program (b) Family Planning Education Program (c) Alcoholism and Drug Abuse Detoxification Program (c) Utilities and Maintenance Division.

3. Q. Name the three components of the Fort Belknap Tribal Health Department.
   A. Tribal Health Board (b) Tribal Health Department Staff (c) Tribal Health Act.

4. Q. What are the Tribal Health Programs that are under direct supervision of the Fort Belknap Tribal Health Department?
   A. (a) Fort Belknap Community Helath Representatives Division (b)Alcoholism/Detoxification Division (c) Family planning Division (d) Utilities and Maintenance Division.

5. Q. Who is governing body of the Tribal Health Board?
   A. The Fort Belknap Community is the governing body.

6. Q. What is the major purpose of the Tribal Health Board?
   A. The Tribal Health Board determines health department policy, directs health department administration and assumes responsibility for comprhensive health care planning and development. The Board also establishes administrative controls and regulations for health department operations.

7. Q. What are the health contracts that the Fort Belknap Comminity Council has with the Indian Health Service?
   A. The Fort Belknap Community Council has health contracts with the Indian Health Service to include: (a) A Community Health Representative Program (CHR) (b) A Family Planning Education Program (c) An Alcoholism and Drug Abuse Detoxification Program.

8. Q. What are the duties of the Tribal Health Department Board Chairperson?
   A. Answer on separate sheet.

9. Q. Name, list and define the services offered by the Indian Health Service.
   A. Indian Health Service:
   (a) Administration (b) Clinical Services (c) Community Health Nurse (d) Dental (e) Environmental Health (f) Health Education (g) Ear, Nose and Throat, (E.N.T.) Audiology (h) Hospital Services (i) Optometry Clinic (j) Out Patient Clinic (k) Pharmacy (l) (Women, Infants and Children) WIC Program
   Mental Health Services:
   (a) Consultation and Educational Services (b) In Patient Services (c) Out Patient Services.

10. Q. Who is eligible to receive Indian Health Services? And are white people eligible?
    A. The residents of Fort Belknap or any Native American or Alaskan Native. The Fort Belknap hospital is obligated to see white persons only in emergency situations, and also if a white person is married to an Indian resident of the Fort Belknap Reservation.

Information and material taken from these sources:

- Fort Belknap "Service Unit Profile" Fiscal Year 1981
- Material from the files of the Fort Belknap Tribal Health Department
- "Comprehensive Consumer Services Directory"
- Material and notes, interview from Mr. Tennyson Doney, Service Unit Director, For Belknap Hospital.

QUESTIONS AND ANSWERES - HUMAN SERVICES

1. Q. The Administration for the Native American Program underwent a change since when?
   A. July, 1981

2. Q. The change was caused by what?
   A. A national policy change by Health Service.

3. Q. Knowing A.N.A. is now Human Services, what is the goal of Human Services?
   A. The Primary goal of the Human Services Department is to develop and improve comprehensive tribal social systems and improve access to programs which safeguard the health and welfare of individuals, families, and communities within the reservation boundaries.

4. Q. Name the nine programs under Human Services and define at least three of the nine.
   A. Food Distribution Program
   Food Stamp Issurance Program
   Food Stamp Outreach
   Low Income Energy Assistance Program
   Weatherization Program
   Elderly Nutrition Program
   Recreation Program
   Community Food & Nutrition Porgram
   Crisis Intervention Program

5. Q. What are the objectives for Fiscal Year 1981-82
   A. To develop a least (5) five goals for tribal social development for the next three years.

HOUSING (INTRODUCTION) QUESTIONS:

What is the purpose of the Housing Program?
(Answer) The Indian Housing program is a federally funded program whose main purpose is to provide for low income Indian families living on reservations, good housing and descent living conditions at a price they can afford.

How did the program get started?
(Answer) The need for federally assisted public housing was first recognized in 1937 when the first federal housing act was passed. This basic legislation has been since amended many times. Several housing programs have been established under this law since 1937. Not all of these still operate and the congress has constantly modified the legislation based on the housing needs it has perceived.

Who originally operated the housing programs on the reservation by Indian people?
(Answer) the B.I.A.

When was the first HUD assisted Indian Housing built?
(Answer) 1962

When was the Indian housing program specifically established and what act was it under?
(Answer) The Housing Act of 1968

When was the Tri-agency agreement between HUD, BIA and the IHS signed?
(Answer) 1969

What does the Tri-agency agreement do or what is the purpose?
(Answer) This agreement provides for cooperation among these agencies in the production of new housing units.

When were the new Housing regulations issued and by whom?
(Answer) In March of 1976 by HUD

Questions devised from "Management Handbook" "Orientation to the Housing Program"

WHO IS INVOLVED IN INDIAN HOUSING? (QUESTIONS)

Whom must establish the housing Authority giving it necessary powers to perform its function? (Answer) The Tribal Council, The TRIBE

How was the Indian Housing Authority Established (Answer) By Council Ordinance

Who appointed Board members for staggered terms? (Answer) Tribal Council

Are Tribal Council meetings open to the public? (Answer) Yes, HUD

Who is the secretary of HUD, a department of the federal Govt. head? (Answer) Mrs. Patricia Roberts Harris.

Where is the one central office and how many regional offices are there? (Answer) The central office is in Washington, D.C. and there are ten regional offices.

Who has responsibility for Indian Housing but also gets assistance from BIA and IHS? (Answer) HUD.

Does HUD provide funds and technical assistance to IHS? (Answer) Yes, BIA.

What two facilities does BIA build for scatter and cluster sites? (Answer) Provides water supply and sewage facilities.

BIA budgets for housing, how many months in advance? (Answer) Sixteen months.

Which is the BIA more associated with; Indians on reservations or Indians off reservations? (Answer) Indians on or living on Reservations.

Does BIA have trusteeship of the land the House is built on? (Answer) Yes.

Is the BIA involved with selection and approval of land for housing purposes? (Answer) Yes.

Who provides for access roads to housing sites whether they be clusters or scatter site? (Answer) The BIA.

Who provides funding for homebuyer training? (Answer) BIA.

HEW and IHS

What two facilities does IHS provide in scatter or cluster sites? (Answer) Water supply and sewage facilities.

HEW and IHS budgets for housing activities blank months in advance; a lititation in coordination with HUD. How many months in advance? (Answer) Sixteen months.

When HEW and IHS approves a site where a house can be built, what two major ingredients are needed to be a site where a site can be built? (Answer) Feasibility for development of water and sewer facilities. The Resident.

What is the intention of the program? (Answer) To serve the lower income population.

What are the three types of residents for Indian Housing? (Answer) Tenants in Rental projects, Homebuyers in Mutual Help projects, and Homebuyers in Turnkey III projects. The Turnkey III program is non-existent on the Fort Belknap Reservation.

Who has more responsibility, Homebuyers or tenants: (Answer) The Homebuyers.

Do Homebuyers have to pay for maintenance on their homes? (Answer) Yes.

A Homebuyers monthly payments pay for two elements of the authority, what are these two elements? Homeownership equity and administrative expenses of the Authority.

Will Homebuyers of the Mutual Help and Turnkey III programs own the homes they occupy? (Answer) Yes, if they meet their obligations.

OTHER AGENCIES

What are the other agencies that may provide assistance or service to residents? (Answer) (ONAP) Office of Native America Programs; Title VII Nutrition programs; Welfare Departments; Law and Order, and Sanitation Departments, etc.....

-Description of Programs now available to Indian Housing Authorities - Rental (LOW RENT) Housing Program.

Does Housing have full management and maintenance responsibility in low rent? (Answer) Yes.

What percent of the units are occupied by families qualifying as having very low income? (Answer) At least 20%.

What must the housing Authority do to cover most of its operating expenses? (Answer) Collect enough **RENT.**

Knowing that tenants pay only what they can afford, after eligible deductions have been made, what percent of their income goes to their rent? (Answer) 25%

Knowing HUD provides some subsides to cover the difference between total operating and the rent collected: Do the subsides cover the amount of uncollected rents? (Answer) NEVER.

In the rental program, is there a minimum rent payment? (Answer) No, because the Rental program can serve the very lowest income families.

MUTUAL HELP HOMEOWNERSHIP PROGRAM

What are the major benefits of the Mutual Help Program?
(Answer) Pride of Homeownership.

What three sites or what are the three places a house can be built?
(Answer) 1. Allotted land. 2. Selected parcel of tribal land. 3. A house can also be built on a cluster site.

Knowing a homebuyer can improve the house, what must a homebuyer do if he/she desires to change the house structurally?
(Answer) The homebuyer will need housing authority approval.

Who pays for the house as the homebuyer lives in it?
(Answer) HUD.

What is sweat equity? Is it still required?
(Answer) In the old program, "sweat equity" varied between 10% of the cost of the housing at one time to $2500 at another time, to $1500 at still another time. In some cases the land value was counted as part of the equity if the land was provided by the homebuyer or tribe. But "sweat" was always required, even though it was not always in fact provided. Under the new program the minimum initial contribution is $1500 to be provided in land, cash, sweat, materials or equipement. HUD no longer requires "sweat equity".

Tell about the return of the initial contribution?
(Answer) Under the old program the initial equity contribution was credited to the homebuyer but none of the required contribution could be returned to the participant.

Under the new program, will the homebuyer get returned his non-land contribution if he leaves the program?
(Answer) Yes, if he has met all of his obligations.

REQUIRED MONTHLY PAYMENTS

Under which program, "old or new" will payments be more?
(Answer) The new program.

Why in the old program, was rent payments lower than the new program?
(Answer) Because payment ceilings and or schedules were lower.

What two 2 elements are the new program rent payments, or what two elements in the rent that you pay for?
(Answer) 1. The administrative charge. 2. 25% of the adjusted family income minus an allowance for utilities.

EQUITY PAYMENTS

Under the old program, if a homebuyer left the program, could the equity be returned? (Answer) No, only voluntary equity payments could be returned.

Can both monthly equity payments and voluntary equity payments be returned to a homebuyer leaving the program? (Answer) YES.

(Similarities between the new & old program)

Under both, what is the homebuyer required to do? (Answer) Pay all utilities and to maintain the home in good condition.

Under both programs, if the homebuyer voluntarily leaves his home or is terminated by the authority, will he/she lose his/her rights to the land the house is on? (Answer) YES.

What qualifications must the homebuyer have the house built if the house is built on tribal or allotted land? (Answer) The homebuyer must be an enrolled member.

How can a participant own the house in a shorter period of time? (Answer) If he makes payments greater than the minimum charge and he will build up homeownership equity and will own the house in a shorter period of time.

If a homebuyer pays the minimum charge, how long will it take for the participant to own the house? (Answer) An average of twenty-five 25 years.

Why must the Authority be careful to assure that payment of rent be done? (Answer) The authority must be careful to select participants who can afford to pay and will pay the costs.

How the Housing is developed and managed: Housing development.

What should housing application be based on?
(Answer) The housing needs of the tribe.

If the application is approved, the Authority will begin planning for the project and must decide on a development method. What are the two methods of development?
(Answer) Turnkey or conventional method. (The Turnkey method is non-existent on the Fort Belknap Reservation).

CONVENTIONAL METHOD

During construction the contractor is bonded to insure that the job will be completed, what else does the bond insure?
(Answer) The bond also insures that any construction defects discovered during the warranty period after completion of construction will be corrected.

The contractor is paid for his work throughout the period of construction. To insure good quality work, which three "3" concerned parties inspect the work?
(Answer) The Authority, the architect and HUD.

PAYING FOR THE HOUSING

How is Housing developed?
(Answer) The housing is developed using the proceeds of notes and bonds sold by the authority to investors.

Are these notes and bonds guaranteed and by whom?
(Answer) Yes, by HUD.

Besides HUD, who pays for the cost of developing and operation Mutual help and the Rental Housing?
(Answer) The resident family.

Who provides the majority of the funds necessary to pay for the costs of operation the housing?
(Answer) The tenants and homebuyer.

What costs do tenant rent payments cover?
(Answer) Such costs as utilities, maintenance and a portion of all administrative expenses.

Are any payments over the administrative charge used for operating expenses?
(Answer) No, any payments over the administrative charge go towards equity.

Define performance funding.
(Answer) This is a small operation **subsidy** available to every authority with low rent units.

What is modernization funding used for?
(Answer) It is used for or can be used for major repairs and improvements.

For mutual help projects, the selected families, besides the authority, who else must agree on the homesites?
(Answer)The BIA, IHS, and HUD must agree on the homesite.

What will the authority use in order to determine its rent payment or monthly mutual help payment?
(Answer) Information on the families income and family composition.

What will a family be required to sign to occupy a low rent unit?
(Answer) Sign a lease.

What program is available to mutual help participants to help them fully understand their obligations?
(Answer) A homebuyer counseling program.

What is the purpose of the Authority passing the Admission and occupancy policy. Who is it for also?
(Answer) The Admission and occupancy policy is for Mutual Help and Low rent programs, it explains how it completes its responsibilities in this area.

What policy was developed to make sure that any dispute between the authority and a tenant or homebuyer is properly resolved?
(Answer) A grievance and procedure policy.

RENT AND PAYMENT COLLECTION

What is the lifeblood of the Housing Authority?
(Answer) Rent collection and monthly payments.

Why is rent collection and monthly payments so important?
(Answer) Because the Authority would soon go bankrupt.

There are three ways to be certain you collect enough rents to meet costs, reflect upon one of the three ways?
(Answer) 1. When you collect for rental projects take into account the average rent that must be collected each month in order so the authority to break even. Do not select so many low income families that you cannot possibly collect rent sufficient to meet expenses.
2. Be certain that the rent charged to each homebuyer and tenant is accurate based on his/her income. Always verify income statements and recalculate rents regularly.
3. Establish an effective system of encouraging prompt payment, and of reminding families of their payment due, and of sign the courts to collect payments and evict negligent families.

D. When tenants in low rent units use excessive utilities or damage their units, when are charges collected?
answer: At the time rent is paid.

MAINTENANCE OF HOUSING

A. Why is it important to properly maintain "Housing", this valuable tribal resource?
answer: So that it will last and be of continuing use to the people.

B. In low rent, in Mutual help, which type of housing is maintained by the homebuyer or which is maintained by the housing authority?
answer: Low rent is maintained by the Authority and Mutual Help is maintained by the homeowner.

C. During construction, what can prevent some future problem?
answer: Close inspection of the work.

D. During the _____, all problems which develop must be corrected properly and not allowed to become future problems.
answer: Warranty period.

E. Low rent occupants must_____immediately, anything requiring repair or maintenance.
answer: Report.

F. When a homebuyer or tenant moves in, who accompanies him/her on an inspection of the unit and why?
answer: The Authority accompanies the homebuyer to make certain that everything is in proper condition.

G. What do regular inspections during occupancy assure?
answer: To insure that any problems will be identified.

H. What do move-out inspections allow?
answer: Allow the Authority to assess damage charges against security deposits or homebuyer equity so that the cost of repairs is covered.

I. Maintenance repairs must be done on the basis of _____ _____, and should be prioritized according to _____?
answer: Work orders, and priority according to URGENCY.

J. what will the Authority do if a tenant has abused his/her unit?
Who has to pay for the damages?
answer: The Authority will assess damage charges, and must be paid for by the tenant.

K. As well as making repairs to low rent units, the Housing Authority should have a plan for performing _____ and _____ services.
answer: Janitorial and Landscape services.

CONDUCTING HOUSING AUTHORITY BUSINESS

A. Housing Authority business must be conducted using sound business practices and respecting a number of _____ rules and regulations.
answer: HUD

B. How will Indian Housing Authorities continue to get new housing for its tribes?
answer: If the Housing is well developed and managed by HUD standards.

C. Who provides a deal of discretion to the local Housing Authority?
answer: The HUD Indian Housing Program.

The better the Authority manages its _____ the more it will be able to take advantage of the opportunities which exist within the program.
answer: Affairs.

E. HUD requires tha the Housing Authority have policies, there are five major policies, what are three of these?
answer: Area's of: Personal, Procurement, Property Disposition, and Grievances, among others.

F. _____ is allowed in the establishment of these policies so that they conform to local need.
answer: Flexibility.

G. What is the purpose of these policies?
answer: To establish consistant, effective ways to address recurring management and operational issues.

H. Also, by adopting policies the Authority Board can direct the work of the staff without constant _____ _____ on a day-to-day level.
answer: Board involvement.

I. What do these adopted policies allow the staff and Authority to do?
answer: Address issues without being subject to undue political influences.

J. The _____ and _____ of the tribe is critical to Authority operations. Therefore, the tribal council should be kept informed of activities and consulted when rent collection and other major issues arise.
answer: Support and Understanding.

K. As the tribal council must be consulted, so must the residents of the units. Where possible, residents should be consulted on matters which affect them. And _____ and _____ tenant and homebuyer body can make task easier.
answer: Interested and Involved.

SUMMARY

A. In your opinion, is the Indian Housing Program complicated?
answer: Yes——

B. The Indian Housing Program's success depends on each of the parties at the _____ and _____ level, carrying out its responsibilities in the development and management process.
answer: Federal and Local.

C. What is the Keystone in this Federal-Local partnership?
answer: The Indian Housing Authority.

D. What must the Indian Housing Authority do?
answer: It must take role in building, and managing Indian Housing.

E. To take the lead role in building and managing Indian Housing, the IHA staff needs the _____ and _____ of its tribe, board of commissioners its tenants and homebuyers.
answer: Understanding and Support.

F. Good management will depend on _____ _____ _____ among these parties, and a clear delineation of the responsibilities and Authority of each.
answer: Good working relationship.

With this support and cooperation the benefits of the Indian Housing Program—good housing for Indian families at a price they can afford—can be achieved for the maximum number of Indian families.

"HOUSING" Questions:

1. What is the purpose of the Housing program?

2. How did the Housing program get started?

3. What are the different Housing programs that maybe available through the Housing Authority?

4. Who is eligible for participation in the Mutual Help, Turnkey III homeownership program?

5. What is the life blood of the Housing Authority, and what are the three ways to be certain you collect enough rents to meet costs?

6. Who maintains the houses after they're built?

7. How are rents and contributions determined with the three types of residents?

8. What are the methods of construction?

9. What are the basic tenant reponsibilities?

10. What are the basic tenant responsibilities?

1. "answer" The Indian Housing program is a federally funded program whose main purpose is to provide housing for low income Indian families living on reservations, good housing and descent living conditions at a price they can afford.

2. "answer" The need for federally assisted public housing was first recognized in 1937 when the first federal housing act was passed. This basic legislation has been since amended many times. Several housing programs have been established under this law since 1937. Not all of these still operate and the congress has constantly modified the legislation based on the housing needs it has perceived.

3. "answer" A. Rental, low rent
B. Mutual Help Homeownership
C. Turnkey III Homeownership
D. Section 8 (privately financed housing)
E. Community Development (housing rehabiliation)

4. Anyone who meets requirements, you complete an application for participation in the program. The Housing Authority will then select families to participate in this program from the list of eligible applicants.

5. A. Rent collection and Monthly Contribution payments.
B. When you collect for rental projects take into account the average rent that must be collected each month in order so the Authority to break even. Don't select so many low income families that you cannot possibly collect rent sufficient to meet expenses.
C. Be certain that the rent charged to each homebuyer and tenant is accurate based on his/her income. Always verify income statements and recalculate rents regularly.
D. Establish an effective system of encouraging prompt payment, and of reminding delinquent families of their payment due, and of using the courts to collect payment.

6. "answer" Mutual Help and Turnkey III programs participants are responsible to:
A. Pay for utilities.
B. Make all repairs and maintenance.
C. Help pay off some of the construction costs.
D. Make an initial contribution.

Low rent tenants have no fixed payments. No utility payments or maintenance required of the tenant. The Authority will pay for the utility payments and the repair of items not damaged by the tenants.

7. "answer" Tenants pay rent (including utilities) based on their income and have no other obligations except to abide by their lease and by the Occcupany Regulations of the Authority. Tenants have less responsibility than do homebuyers.

Homebuyers in Mutual Healp houses pay for maintenance and utilities and make a monthly payment to the Authority which goes towards building up homeownership equity plus paying administrative expenses of the Authority. Homebuyers must abide by the Mutual Help and Occupancy Agreement and will eventually own their own home if they meet their obligations.

Turnkey III homebuyers pay for maintenance and utilities and make monthly payments to the Authority. The payment meets administrative expenses, establishes a maintenance reserve, builds up homeownership equity, and may help pay for the house. Homebuyers must abide by the Turnkey III Ownership Agreement and will eventually own their own homes if they meet their obligations.

8. "answer" CONVENTIONAL METHOD

1) Authority's architect designs the project.
2) Payments are made to the builders during construction.
3) Authority's contracts with a builder to build the project.
4) Generally, a contractor provides a bond and some money is held back (retention) to insure proper completion.
5) Inspection is hired to watch the construction.

TURNKEY METHOD

1) Developer designs the project.
2) Authority contracts with a developer (contract of sale? to build the project.
3) Authority accepts and pays for the units only when they are properly completed.
4) Inspector can be hired to watch the construction.

BASIC TENANT RESPONSIBILITIES:

1) Pay rent or housing payments on time every month.
2) Report income and income change.
3) Keep up the house and pay for repairs or damage caused by the tenant.
4) Abide by the rules established by the Authority and HUD.
5) Cooperate during inspections of the house.
6) In addition if a Mutual Help Participant:
   —pay for utilities.
   —make all repairs and mainetnance costs.
   —help pay off some of the construction costs.
   —make an initial contribution.

10. AUTHORITY RESPONSIBILITIES:

1) Provide decent and safe housing.
2) Collect rent and housing payments.
3) Enforce HUD rules.
4) Comply with Authority policies.
5) Pay for utilities and maintenance if rental units.

Material taken from:

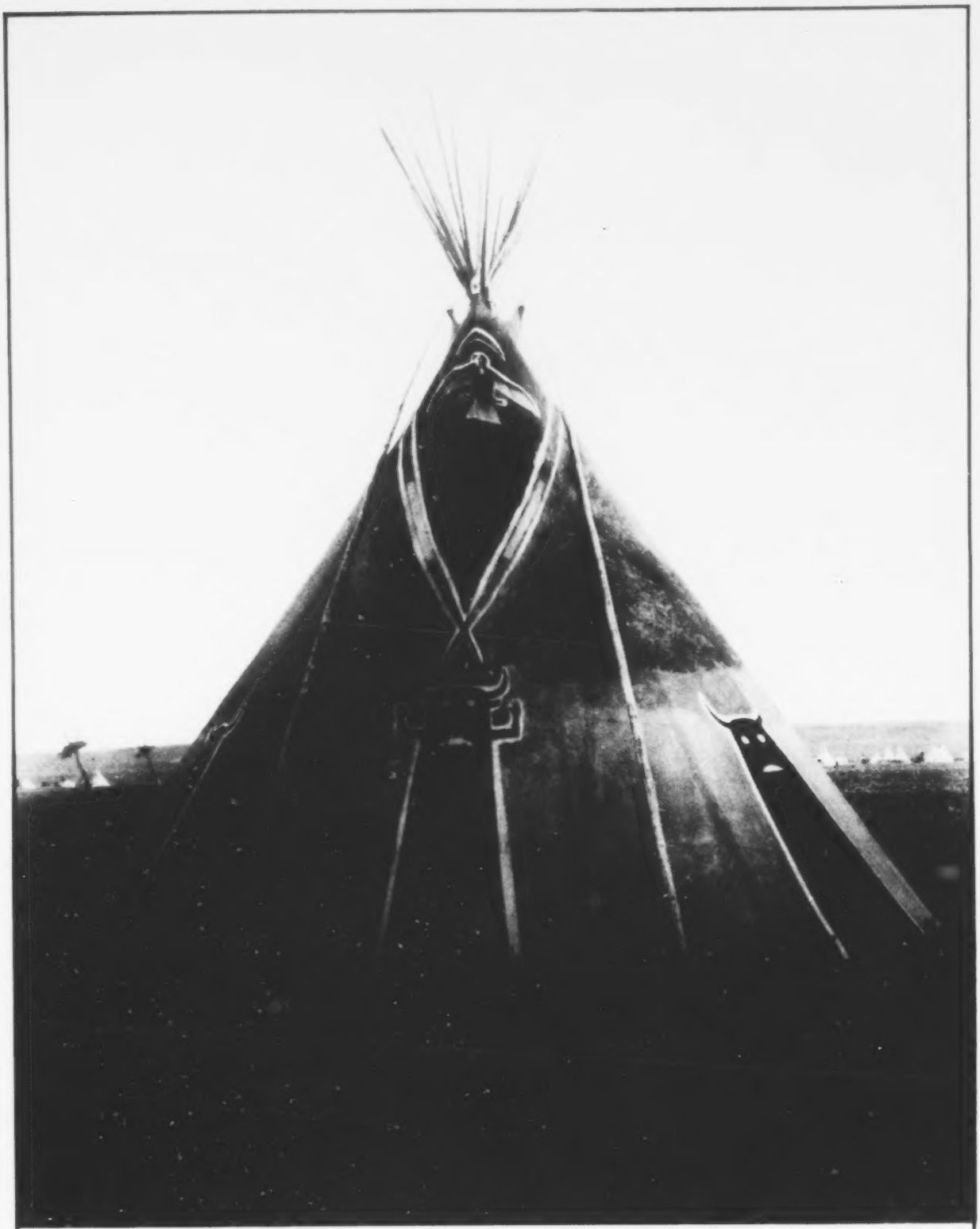
"*An Introduction to your Indian Housing Authority*"

"*Management Handbook*"

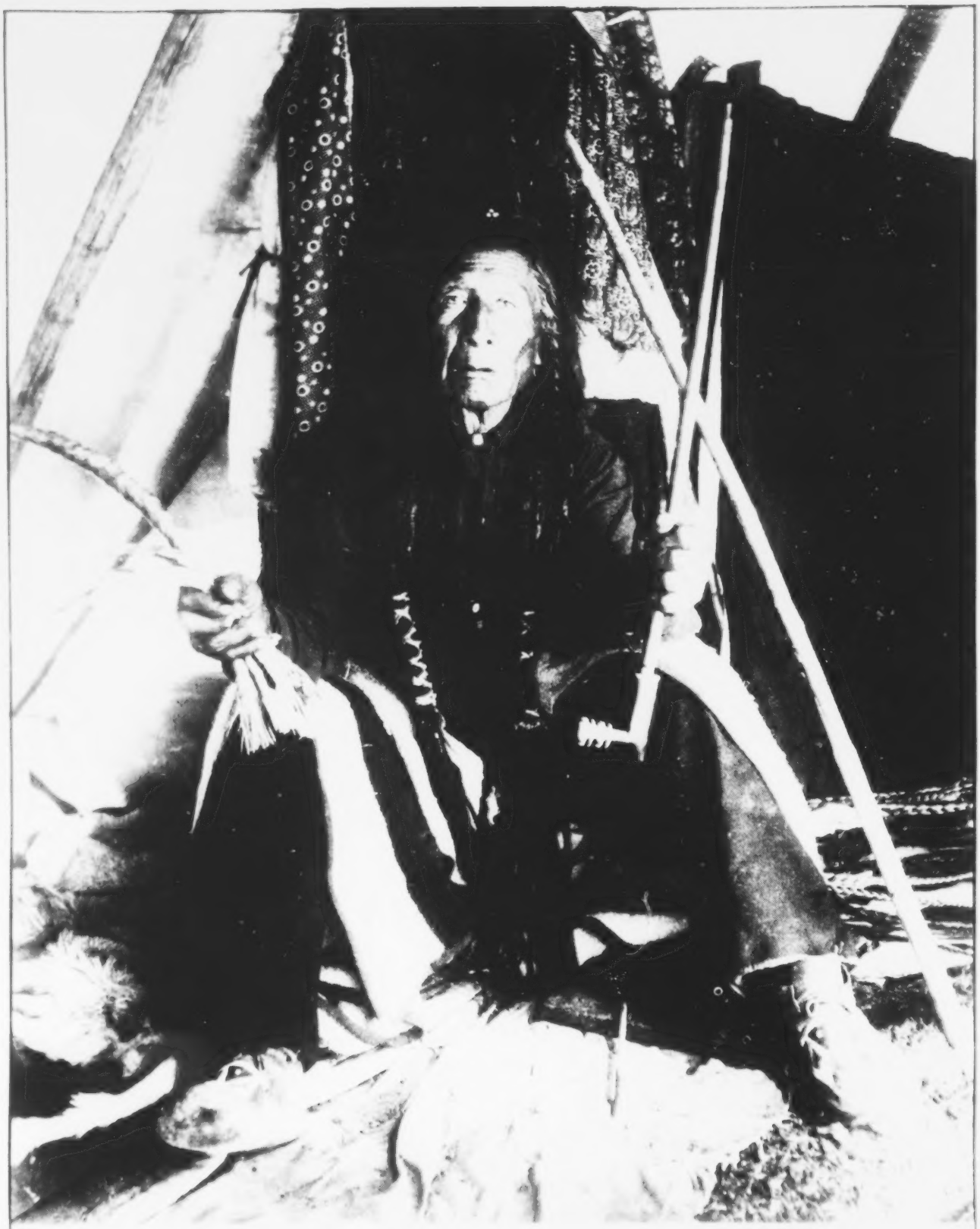
"*Homebuyer Guide To The Mutual Help Housing Program*"

Fort Belknap Reservation, July 1906.
Gros Ventre men; left to right: (standing) Fred White, Looking Glass, unknown, Assiniboine boy, [illegible] di Lone Fly, Fork, Stabber, Curly Head — Keeper of the Feathered Pipe

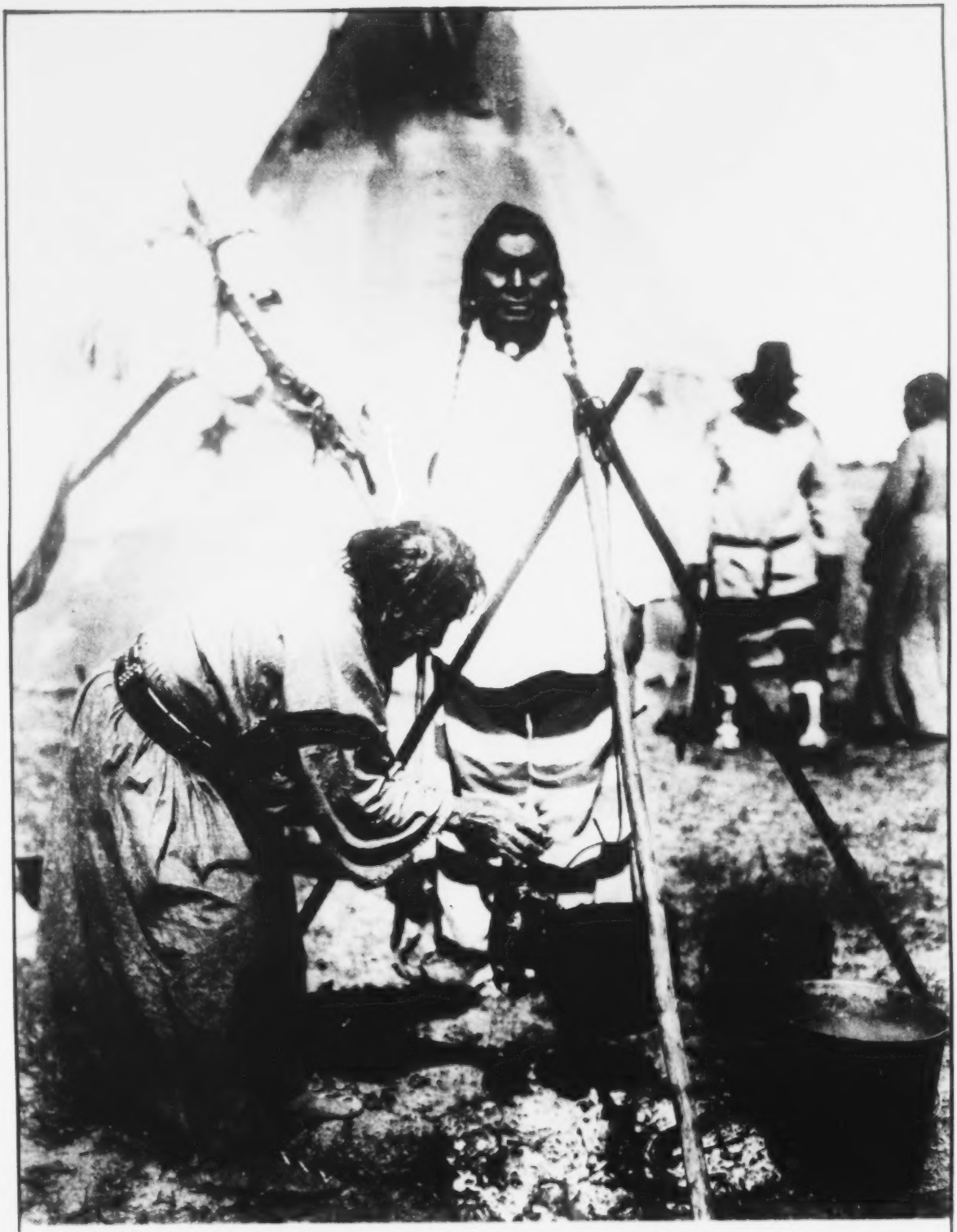
***Spotted Bird**, a Gros Ventre, was photographed at Hays on the Fort Belknap Reservation in July, 1906.*



Medicine Tipi, of Chief Nosey.



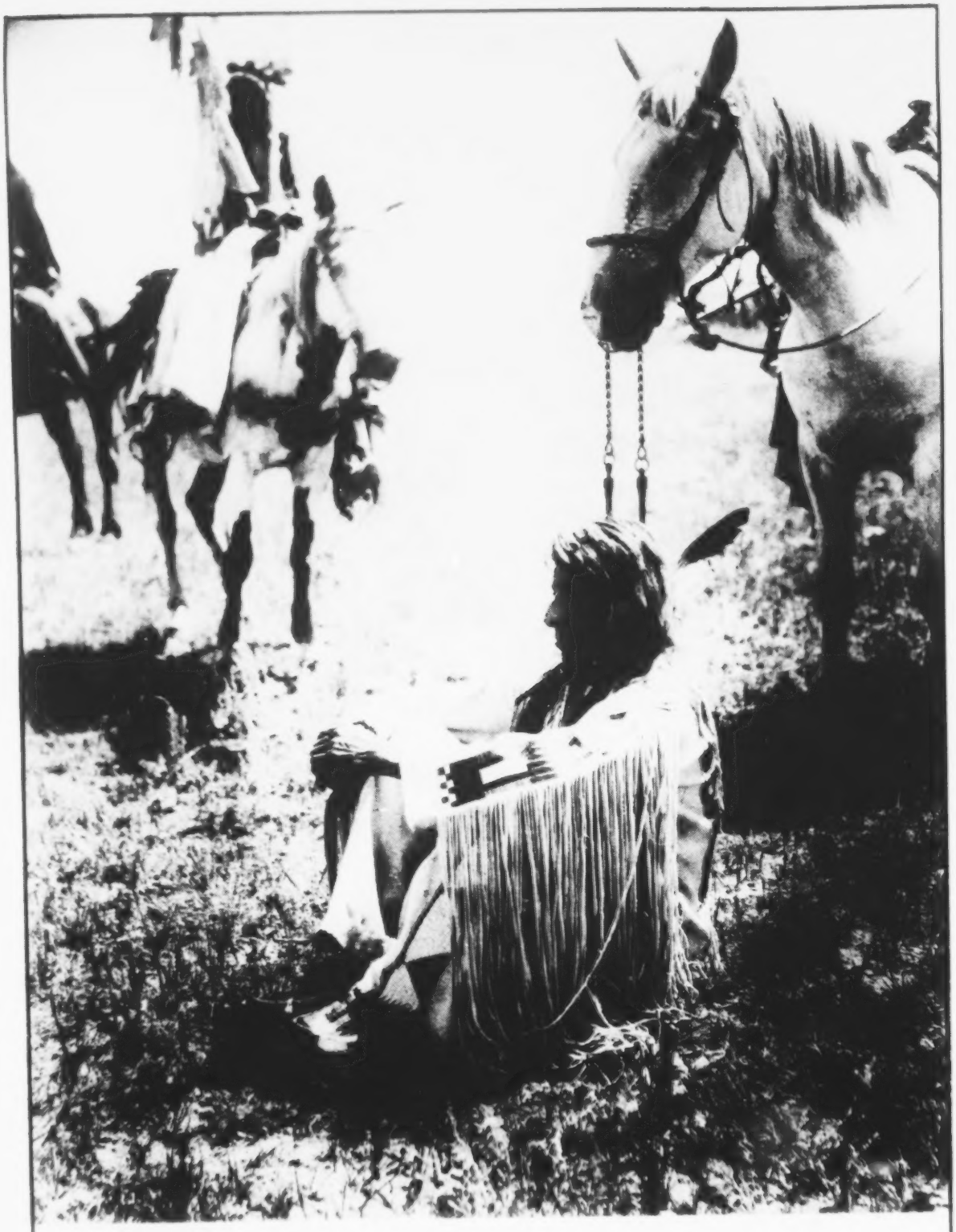
Chief Eagle Killer, also known as "Big Mike" and "Sword," lived from 1843 to 1907. He was the last chief of the Teton Sioux to surrender at Fort Keogh, Miles City, Montana.



Bull Head and wife cooking puppy.

Gros Ventre family, Fort Belknap Agency, July 1906.

Mrs. Henry Dwarf and Mrs. Mary Stand Bear Shortman, Gros Ventres; Fort Belknap Reservation, July 1906.



Many Coups was re-named Lame Chicken, after participating as a member of an Assiniboine war party.

Fort Belknap Reservation pow-wow, 1906.

Setting up the Center Pole. *Shown in the foreground is Chief Enemy Killer, also known as "The Male," or "Nosey."*

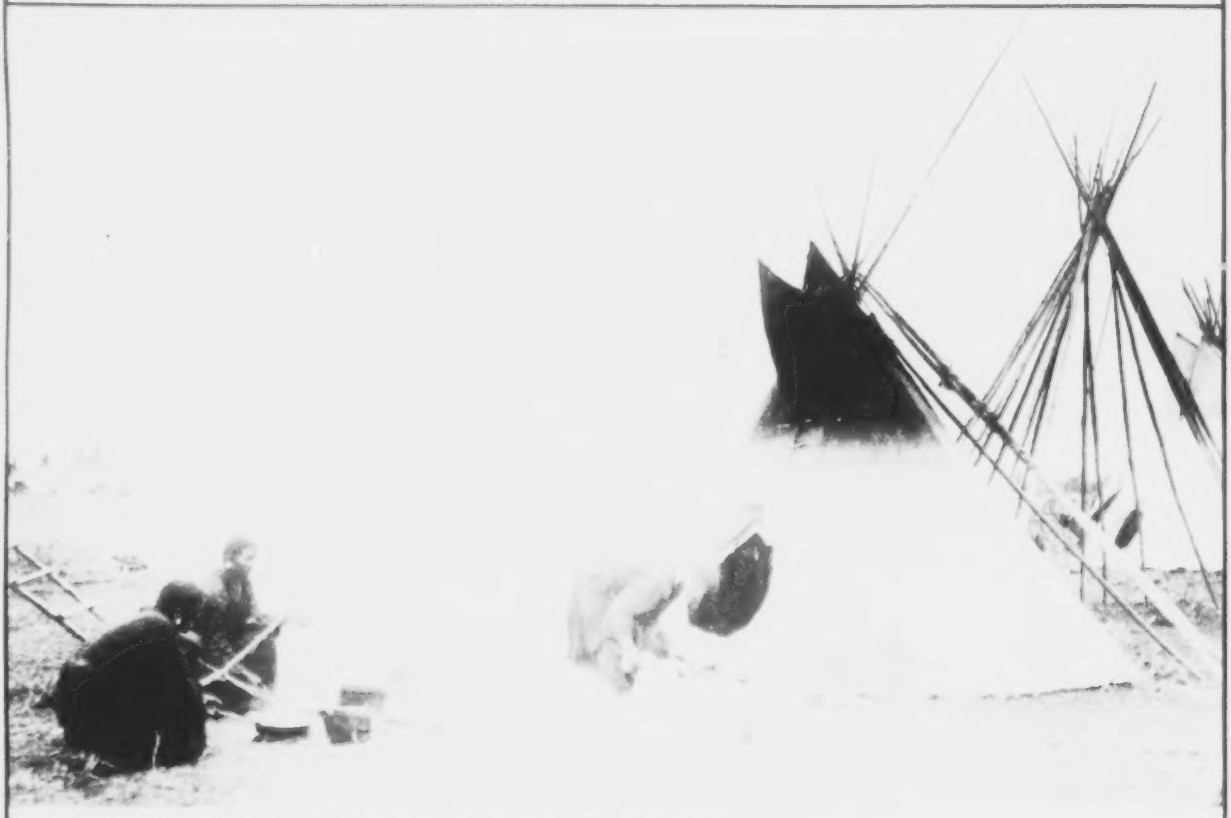
Travons.

White Yellow Cow painted this Gros Ventre tipi for Bushy Head.

Coming Day, also known as Returning Hunter.

Many Coups, a member of the Assiniboine treaty committee.

Preparing dry meat, Fort Belknap Agency, July 1906.



Encampment of the Assiniboine and Gros Ventre, July 1906.

Spirit Boy and John Leggins, Assiniboines of Fort Belknap Reservation.

Gros Ventre singers at Fort Belknap Reservation Agency, July 1906; left to right, facing camera: Thick, Gros Ventre Johnny, Dry Meat (brother-in-law of Thick).

Dog Head Dance — spearing in a bucket. Dancers are Catcher and Gros Ventre Johnny.

Horse Boy, an Assiniboine member of the Sundance Committee in 1906.

"Supper Time"
Assiniboine Camp, on
Bears Paw Battlefield
15 miles South of
Sept-30-1928.

Blaine County, Mont.

Mounted is Coming Day, also known as Returning Hunter, an Assiniboine, with Henry Shopwood, Chief of Police for 25 years at Lodge Pole Sub-Agency.

Round Dance at Fort Belknap Agency, July 1906.

Gros Ventres at Fort Belknap Reservation celebration, 1906.

The last Sundance Keepers — Fort Belknap Agency, 1950's; left to right: (standing) Andrew Gray (Crazy Whiteman), William Bigby, Henry Old Thunder, First Chief; (seated) Moses Mountain, George Rock, Raymond Feather, Rex Flying.

The Sundance Lodge, Fort Belknap Agency, July 1906.

Gros Ventre men at 1906 pow-wow on Fort Belknap Reservation.

First Chief and wife, Assiniboines of the Fort Belknap Reservation.